

THE POLITICS OF TEMPERANCE.

THE

UNITED KINGDOM ALLIANCE

MONTHLY PAPERS.

PRINCIPLES AND POLICY.

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THE PRINCIPLES AND POLICY

OF THE

UNITED KINGDOM ALLIANCE.

“Oh great design! if executed well,
With patient care and wisdom-tempered zeal.”

It is an incontestable sign of national advancement that, as the rage of party politics has subsided, the triumphs of social politics have been extending. A fear may, indeed, be awakened, that the vast extent of enquiries pursued will distract and intimidate the public mind; and that as Saturn, according to Grecian story, devoured his children, and as the printing press has multiplied the chances of oblivion to the mass of literature produced, so the variety of research into social needs and ills may tend to divided and abortive exertion. There is enough, however, of philanthropic fervour operating with manly energy and feminine tenacity, to do all that requires to be done; and it may happily prove in social as in individual experience, that where the labour to be executed is the greatest, the more effectually is it performed. We, at least, choose to believe that whatever social questions are overlooked in the multiplicity of claims advanced, the cure and prevention of our national intemperance will not be among the neglected. When statesmen so eminently and variously gifted as Lord Brougham, Lord John Russell, Lord Shaftesbury, Lord Palmerston, Lord Stanley, and Mr. Cobden, unite in assigning to this subject a position of fundamental importance, we have a cheering and conclusive testimony to the wisdom of those who, for more than thirty years, have held it steadfastly before the British people. All honour is due to men who have used moral and associated efforts for the removal of inebriation; in this field of labour temperance societies, acting on the plan of voluntary abstinence from intoxicating liquors, have reaped distinguished success; yet, strange to say, these very efforts have in some cases been regarded as an interdict on all proposals of another description, especially on such as contemplate the alliance and co-operation of law. This opposition is singularly unphilosophical, and is condemned by the experience of social reform from the days of Howard to our own. The man who seeks by precept and example to act on other minds for their good, may point with honest enthusiasm to what has been accomplished by endeavours like his own—in the marvellous spread of Day-school and Sunday-school instruction; in the maintenance of Domestic

Social reform
a characteristic
of the age.

Measures
against in-
temperance
a necessary
branch of so-
cial reform.

Means of so-
cial reform
must be both
persuasive
and legisla-
tive.

Missions, Ragged Schools, Refuges and Reformatories, Mechanics' Institutes, Reading Rooms, Evening Schools, Benefit Societies, and Penny Banks; and in the establishment of improved Dwellings for the Working Classes, and other agencies of social elevation. He can do this without risk of contradiction. And so, too, the man who has helped to use the power of legislation for the amelioration of the social state, can point with equal pleasure to the beneficent result of legislative measures directed against the barbarous employment of child and female labour—the sources of disease and indelicacy, bad drainage, ill-managed lodging-houses, and superfluous smoke—the exposure of immoral prints—and against lotteries, gambling-houses and betting-shops. The same man may, without a shadow of inconsistency, rejoice over the benefits of both modes of action as manifestations of the same public spirit. Persuasion and legislation are the twin forces employed by the people for the common advantage; and, we may add, without dogmatizing on a difficult question, that legislation will probably be found to operate most usefully in prohibiting external causes of social suffering; persuasion in supplying and applying means of social advancement. The mission of the one is principally negative—restraining the evil-doer; the mission of the other is principally positive—setting the well-doer wisely to work. The emissary of the one is the constable—the preceptor of the other. Permanent social progress cannot be guaranteed unless both forces are diligently and discreetly employed; each is auxiliary to the other; and when they act in harmony, and for a certain end, the maximum of social profit will be secured.

The Alliance
formed.

A great Fact,
and great
Duty.

As embodying this view of the just and necessary province of legislation, the United Kingdom Alliance was formed on the 1st of June, 1853, not to supersede or impair any species of agency established for the abolition of intemperance, or the promotion of voluntary abstinence from intoxicating liquors, but to call public attention to a great FACT—that the traffic in alcoholic liquors, as beverages, is the public and most prolific source of national intemperance; and to impress upon the public conscience a great DUTY—that such a traffic, law-dishonouring and man-destroying, ought to be prohibited, not protected, by law.

The distinctive Principles of the Alliance will be best apprehended by answering in brief, three separate enquiries:

What legislation upon the liquor traffic is now in force?

What purpose is it designed to serve?

What alteration of it is required?

How the li-
quor traffic
has been re-
stricted by le-
gislation.

1. When we speak of "legislation now in force," we are arrested by the fact, that for upwards of 300 years legislation has been continuously exercised upon the traffic, not to speak of occasional and severely repressive proceedings of an earlier date. This legislation has always assumed two forms—limitation in regard to the sale of strong drink—taxation upon the articles sold. Under the former

class are included the laws forbidding the promiscuous sale of such liquors, and confining the sale to persons provided with a certificate (or "license," as it is commonly called) from Justices of the Peace; the laws which have restricted the sale to specific times and modes; and the laws which have arranged for a strieter police supervision of places devoted to the sale. In all these cases the permission or privilege of selling has been definitely suspended on the vendor's observance of the terms of his "license," and other legal regulations for the government of his affairs. The second kind of legislative interference has embraced all the imposts laid and levied upon the quantities of intoxicating drinks made, the materials employed in their production, and the fees demanded for the license issued by the Excise. Now it is worthy of notice that for three centuries—down to 1830—the traffic in alcoholic liquors was neither free nor open: not free from taxation, not open to all the people alike. Since 1830 the trade in beer and cider has been open but not free; and very few are the persons in Great Britain who would be prepared (setting fiscal difficulties aside) to render the strong-drink trade, in all its branches, free and open together.

These plain matters of fact are frequently overlooked or concealed by assailants of the Alliance, who have treated all reference to legislation as something novel and despotic. No proposal could now be so entirely revolutionary as that which, if sincere, such objectors must be prepared to make—to erase from the statute-book all traces of legislation; and to allow the trade in fermented and distilled liquors to be carried out as free from restrictions, as the trade in wheat and flour. Certain it is that such a proposal would meet with the most obstinate and "fanatical" opposition from the vendors of those very liquors, who profess to believe that the more open and free their business should become, the more mischievous would be its operation upon the dearest interests of the commonwealth.

2. We are, therefore, prepared to enquire into the *purpose* for which all this legislation, so copious and complex, has been instituted; and we are not left in ignorance and doubt. The laws which forbid the sale of drink without a license, and which otherwise prescribe how the sale shall be conducted, distinctly affirm that their object is to abate the drunkenness and other evils connected with the drinking-house; and every student of history is aware that the duties placed on ardent spirits, and the charge for license to sell, had the same original design. It is a proof of the small attention bestowed upon this subject, that able and intelligent journalists have boldly maintained that licenses granted for the sale of wine, beer, and spirits, are analogous to those for the sale of coffee and tea, and that the excise duties on the former are for revenue uses alone, just as the customs' duties on the latter unquestionably are. Such a statement displays discreditable ignorance of the whole question. We do not profess to dive into the secret motives which have influenced British legislators in dealing with this troublesome subject; we have

"No legislation" a revolutionary doctrine.

The purpose of legislative restriction explained.

now to do with their avowed intentions, which have uniformly had respect to such a regulation of the liquor traffic as should make it a public benefit rather than a public bane. It could never be the design of any British Parliament to legalize the production of intemperance—itself a legal crime, and the monstrous mother of monstrous evils. It was no less obvious that, somehow or other, the drink traffic did generate this intemperance with fearful celerity, and did foster it with unabated constancy. Independent, therefore, of the facts preserved to us by the historian, we should be attributing to our forefathers nothing more than ordinary sense and patriotic feeling, by believing them to have been actuated in their legislation on the traffic by a sincere desire to deprive it of its venom. One idea has pervaded every new or amended Act of Parliament upon this question—that the liquor trade could not safely be left without control; and to make that control efficient and sufficient has been the object of legislative pursuit since legislative interposition began. Here we have an important disclosure and attestation—that the strong-drink trade has always been viewed as the public source of British intemperance. Let this be observed, for it is needed as a set-off to the quibble with which some have armed themselves against the Alliance. They have argued that the cause of intemperance is not the drink traffic but the use of drink, and that as the traffic compels none to drink, it is not responsible for the drink consumed. Lord Althorp, in resisting the Parliamentary Enquiry of 1834, into the causes of drunkenness, is reported to have said—“The cause of drunkenness is drinking”—a valuable truth if intended to inculcate the danger of drinking, but a shallow sophism if intended to shelter the traffic in strong drink. The physical cause of intemperance resides in the intoxicating property of alcoholic liquors, and the volitional cause in the use of those liquors by a free agent. But is there no other cause than these? That which makes the liquors accessible, placing them within sight and smell, offering conveniences for their purchase and consumption, till the last penny has vanished with the last vestige of self-control; that which further attracts, by way of companionship and custom, together with the seductive quality of the drinks themselves—that which does this will justly appear to the great majority of men as a real cause of the consequences which are apparent. If it be conceded that as drinking-shops multiply, drinking and drunkenness increase; that when opened, intemperance springs up, if it did not exist before, or becomes more rank and luxuriant—if this be granted (and how can it be disputed?) no practical debate can be sustained. Be it “cause,” “condition,” or “concomitant,” a connexion between the traffic and intemperance is admitted—a dependance of the latter on the former—which amply justifies the use of legislation in order that that connexion may be dissolved. He who affirms that the amount of intemperance does not at all depend upon the facilities for getting strong drink, or the amount of traffic in them, may be left to the enjoyment of his

The drink-traffic not suffered to be uncontrolled.

The true cause of social intemperance.

crotchet. He, at least, must be a thick and thin claimant for the free and open trade in alcoholic liquor; and he must be prepared to repudiate all interference with the gambling-house and betting-shop, on the ground that they, too, do not "cause" the vices they promote. But such verbal refinements will never deceive mankind. Human reason and English law both refuse to look upon the concurrence of persons in social wrongs perpetrated upon themselves as a vindication of those wrongs, much less when those who do not concur are involved in much of the misery and injury inflicted.

The caudid reader who has accompanied us thus far will now be prepared to consider,

3. What *change* of legislation is required? We say, "what change?" for there is an almost unanimity of sentiment on the point that *some* change is a necessity of the times. And all are agreed that this change should not be in the direction of laxity, but of increased and more stringent control. Even the party described as favourable to "open trade" would compel the trader to take out a license as at present binding him to specific conditions of traffic; and in taking away the licensing (*i. e.*, elective) power of magistrates, they would institute other regulations, tending, as they think, to a restricted sale and a more rigid police inspection. No one proposes so to change existing legislation as to put the liquor dealer on the level of the baker and the grocer. Every impartial observer must, at any rate, decide that the legislation current for centuries has failed. It has suppressed some evils and held others in check; let this be admitted; but when the most favourable view of its results has been taken, the gloomy truth remains, that the express purpose of all this labour has been defeated. While drunkenness is still our national shame; while public-house drunkards are still to be counted by tens of thousands, and public-house tipplers by hundreds of thousands; while the legal and voluntary benevolence of the people is inadequate to meet all the demands made by drink-made pauperism, destitution, and crime,—it cannot be pretended that the legislation which has aimed at a directly opposite condition has been triumphant. The drinking shop continues the hot-house of drunkenness. It may be hard with some to confess this, but it is harder to deny it; and only as the confession of the fact is ingenuous and unreserved will the true method of reform become perceived.

It is, therefore, no mere speculation of any body of "dreaming theorists" and "ranting fanatics" that the great problem of rendering drinking-shops compatible with a sober population has not been solved; and, from the experience of all past legislation, the solution may be confidently pronounced impossible—as impossible as the discovery of perpetual motion in natural science, and of squaring the circle in mathematics.

Restrictive legislation applied to the liquor traffic, were it carried to the extent proposed by the most zealous of its friends, holds within itself the cause of its inevitable failure, for *it provides no security*

Change of legislation called for.

Prevalence of drunkenness through the liquor traffic.

Why the legislation which restricts the traffic cannot succeed.

against the most lavish indulgence in drink on the part of the purchaser, and no security against the most successful inducements to drink on the part of the vendor. Must it not occur to the reflective mind, that the common sale of intoxicating compounds cannot fail, taking one place of sale and one consumer with another, to generate a vast amount of intoxication, and to lead to habits of intemperance of various degrees; and that no mere difference in modes and times of sale can at all affect the inherent qualities and natural tendency of the things sold? Substitute "opium" for "alcohol," and how many at a glance would see our proposition to be true; and it is true, whether it refer to the intoxicating articles consumed by Asiatics or Europeans.

The position
of the Alliance
defended.

Here we have reached the position of the United Kingdom Alliance,—that the evil of the liquor traffic lies in its nature *as a traffic in alcoholic liquors*, the common sale of which, as beverages, has, in every age and country, been found utterly inconsistent with a social state free from the plague of drunkenness. That the circumstances of sale make no *essential* difference would be seen if we were to compare the effect of a gin palace or public-house kept by a church-going publican with the effect of another house kept by a man of different principles and habits. It would be as likely as not to happen, that the house of the former would be more mischievous than that of the latter. If only moral, educated, and religious persons patronised one class of drinking-houses, and immoral, illiterate, and irreligious persons another class, a difference in the immediate results would doubtless be visible; but no legislation could preserve this distinction, and the longer it was preserved, if that were possible, the more striking would be the evidence of moral and social deterioration in the case of numbers, least subject at the first to danger from strong drink.

No lawful liberty of the subject, personal or avocational, affected or endangered by prohibition.

Many, indeed, who approve of the limitations imposed at present on the drink-trade are averse to its prohibition, from a fear that the liberty of the subject would be infringed upon, and the free pursuit of other avocations be imperilled. This aversion, felt by not a few well-disposed persons, should be dissipated by the knowledge that the suppression of the liquor traffic, however desirable in itself, is sought for only by the *agency of a reformed public opinion*, and that its adoption thus secured would not be contrary to any constitutional version of the liberty of the subject. The only liberty that would be taken away (except the liberty of the minority to get intoxicating drink in a particular way—a way incompatible with the public good) would be that of the liquor vendors—a liberty which, under the present system, has to be renewed year by year, and is made dependent on the observance of conditions which are flagrantly and universally violated by the traffickers in strong drink. No proper freedom of trade would be put into jeopardy if the common sale of intoxicating liquors was abolished, for the penalty of prohibition could not be incurred where the reasons for prohibition did not

exist. If a trade similar in character and consequence can be found, let similar legislation be applied; but the legitimate trader would have no more cause of fear lest he should be interfered with because the drink-trade was stopped, than the cotton merchant of Africa has to be alarmed because the traffic in human flesh is forbidden. Liberty of trade, like all other liberty exercised in the social state, must be held subordinate to those interests for which the social state is established and valued. The liberty of the subject must be subject to the liberty of society to protect itself; and this it does by prohibitory law, where well-known and accessible sources of social evil and loss are in operation. Take away this right of social self-defence, and what liberty would be left to the subject worthy of conservation? The right of the individual to escape from personal danger and suffering is not greater than that of society to do the same; for it should not be forgotten that all anti-social acts and pursuits—such as tend to render life and property insecure, to produce social disorganization, and to entail heavy social burdens—are truly and strictly *crimes*. By the common law of all countries they are so regarded; and where common law procedure will not reach them, it is the duty of society to put them into the prohibitory catalogue of statute law. Acts forbidden by statute law are not made crimes by being declared so, but are declared to be crimes because they are so. Being crimes—*i. e.*, acts which cannot be suffered by society with justice to itself—they are forbidden, and their renewed committal subjects to suitable penalties. Thus it happens that statute crimes, but not actual ones, vary in various ages and lands; some of heinous enormity, such as the slave-trade and slavery, having been in our own country once permitted and legally protected, but now reprobated and punished. It behoves us to remember that no legal tolerance or license can make crimes (offences against society) other than crimes, or render the duty of their prohibition less imperative. No legal laver can wash the social Ethiop white; and base metal issuing from the royal mint, and bearing the royal effigy, would be base metal still. These observations completely meet the contingency imagined by some objectors, that if the liquor traffic were prohibited, and if (as they suppose) numerous violations of the law would occur, crimes of one class would increase, and balance any decrease in the crimes now ascribed to the drinking trade. This objection proceeds on the assumption that the trade in strong drink is inoffensive, and that persons persisting in it after prohibition would begin to do what was criminal, because forbidden. But the opposite of this is true: this traffic is never inoffensive—it is always a social curse; the pursuit of it is, therefore, one continuous crime against society (however undesignedly so by the traffickers); and in proportion as the prohibition was not transgressed, in that proportion would the offence cease, the crime diminish. Such as continued in the traffic contrary to law would be simply repeating the previous offence against society in spite of the social interdict,

Social crime, what it is, and the obligation of social self-defence.

The prohibition of drink-selling would not increase, but diminish crime.

though even in their case the sphere of the offence would be circumscribed by the prohibition. Were they convicted and punished, statute crime of one class would be displayed, but social wrongdoing would be diminished. If the essence of crime consisted in the violation of statute law, a sure way of preventing crime would be at hand in the repeal of *all* prohibitory law. But we know better than that. Let any form of social injustice be legalized, and legal crime would be made less, but social offences (which are the soul of real crime) would be multiplied.

Why every act of sale should be prohibited.

Hence, too, the absurdity of asking, as some public writers have done, "Would you make the sale of a *single* glass of ale a crime?" They might with equal pertinence enquire, "Would you make the abstraction of a penny loaf by a hungry man a crime?" "Would you make the sale of one poisonous lozenge a crime?" No legislator has respect to the degree of evil produced by solitary acts; he prohibits classes of action, because as classes they are at war with the interests of society. If the liquor dealer never sold more than one glass of ale or dram of gin, he would stand in need of little prohibition; but if he sells one glass a minute during the day, the mischief he produces becomes enormous, and the only means of stopping the aggregate mischief is to stop the separate acts of sale.

The suppression of liquor dealing not akin to religious persecution, or attempts to enforce virtuous conduct.

Others have feared lest the suppression of drinking-shops should be made a pretext for religious persecution and for compulsory measures to enforce virtue or the shew of it. All such fear is baseless. Virtue—the voluntary well-doing of the man—is not to be compelled; coerced virtue is a nonentity; all that society may enforce is a conduct consistent with social security. This conduct, if the result of a good disposition, is commendable; but it would be monstrous to argue that any one indisposed to exhibit that conduct should be permitted to forego it. If so, how could the minister of law be "a terror to evil-doers?" Offences against the Divine Being are sins, and of them He alone is judge. This principle admitted, religious persecution is impossible. Offences against a man's own moral constitution are vices, and here the penalties are divinely imposed. But offences against society are (as we have said) crimes, and on this account only (not because they also may be sins and vices) does law, the executive servant of society, forbid, or ought to forbid, what is thus prejudicial to the common weal. The intention of the actor in this last case is not taken into account except as mitigating penalty; he may have acted ignorantly or by mistake, and all malevolent and criminal purpose may be absent—the tendency of the action or pursuit upon society is the supreme rule of permission or prohibition. We are also called upon to observe, that where prohibition is a duty, the duty of declaring and enforcing it is on all sides greatest where the evil is most aggravated, the misery and suffering most afflictive, the ruin most widespread, and the general burdens most grievous. The greatness of an evil, or system of evil, which has long continued and gathered wealth and power to

Prohibition most imperatively required where the social evil is most hurtful.

itself, may secure it prolonged immunity; but this is the reverse of what should be, and of what will be, when the colossal nature of the evil is discerned, and when there is sufficient public worth left to attempt its overthrow. The poppy which colours our fields in harvest may be suffered without much danger, but who would permit the upas tree to shed its mildew over field and vale? We ask nothing more than this,—that the drinking trade, as conducted under the most favourable circumstances, should be judged by its fruits. Alas! these fruits are not ambiguous in quality, or diminutive in number or dimension. The apples of Sodom were sweet in comparison. The taverns of Milton's days "hazarded the religion of those who fetched drink from them," and there is no improvement in the species. Unbiased judges have given their verdict. A distinguished writer in the *Edinburgh Review** remarked, "Any trade, employment, or use of property detrimental to the life, health, or order of the people is, by English law, a public nuisance; and in suppressing it, the State assumes the right of sacrificing private interests to the public good. And this not only when the detriment is physical or economical, but when it is moral. Now the liquor traffic, and particularly the retail branch of it, is a public nuisance in all three respects—physically, economically, and morally. By its physical consequences it causes death to thousands, reduces thousands more to madness or idiotcy, and afflicts myriads with diseases involving the most wretched form of bodily and mental torture. Considered in its economical results, it impairs the national resources by destroying a large amount of corn which is annually distilled into spirits, and it indirectly causes three-fourths of the taxation required by pauperism, and criminal prosecutions, and prison expenses; and further, it diminishes the effective industry of the working classes, thereby lessening the amount of national production. Thirdly, viewed in its moral operations, it is the cause of two-thirds of the crime committed, it lowers the intelligence and hinders the civilization of the people, and it leads the men to ill-treat and starve their families, and sacrifice domestic comfort to riotous debauchery." A writer in the *North British Review*† is equally emphatic. He observes, speaking of intemperance,—“Not only does this vice produce all kinds of positive mischief, but it also has a negative effect of great importance. It is the mightiest of all the forces that clog the progress of good. It is in vain that every engine is set to work that philanthropy can devise while those whom we seek to benefit are habitually tampering with their faculties of reason and will, soaking their brains with beer, or inflaming them with ardent spirits. The struggle of the school, the library, and the church, all united against the beer-house and the gin-palace, is but one development of the war between heaven and hell.” After

The evils of liquor traffic multitudinous and gigantic.

The *Edinburgh Review* quoted.

The *North British Review* quoted.

* July, 1854: Article, "Teetotalism and the Maine Law."

† February, 1855: Article, "How to stop Drunkenness."

Citation from
the Alliance
"Prize Es-
say."

a careful enumeration of the consequences of the drinking trade in "cost of liquors," "cost of public-house smoking," "cost of transit of food from foreign parts," "cost of accidents," "cost of disease," "cost of premature mortality," "cost of pauperism," "official cost of crime," "loss of manual labour," "loss of life," "loss of actual property," and "loss of mental power," the author of the Prize Essay of the Alliance concludes that "it appears no extravagance to affirm, that all the misery realised, and all the enjoyment forfeited, through the operation of the traffic, is purchased at the annual loss or cost of £120,000,000!"* Terrible testimonies are these, and terrible because they are true! And what can be said of the State which tolerates, and the law which licenses, such a traffic, except that it is casting away the weapons of self-defence, and applying to its own back the rods with which "the tap interest should be chastised?" The genius of such a traffic, if we chose to indulge in abstraction or personification, might rightfully be accused as in league with the foulest and darkest spirits of riot and destruction—the spirits that impel to murder and suicide—that despoil the fairest Edens of the domestic circle—that gloat over cursed and cursing humanity—and that watch with infernal joy the throes of dissolving empires. We claim no retrospective exactions; we have no animosity to the men engaged in this baneful business; we wish that, as licensed "victuallers," they would use their calling well, and that they would provide for "the health and refreshment of the public" in Milton's language, without that branch of their trade which sacrifices both. It is with the LIQUOR TRAFFIC, the system of vending alcoholic beverages for private gain, that our quarrel rests. Let the precaution checkmate the peril—the prohibition cover the offence. The traffic in intoxicating liquors cannot be conducted in any shape without inflicting upon society the deepest wounds, and the severest privations; let it receive the lawful judgment which society is entitled to award. Not entitled only, but required to pronounce, or it stands self-convicted of a disregard to its primary obligations. The question is simple. Shall society suffer, or the traffic in strong drink be suppressed? Penalty must fall somewhere; it has hitherto fallen upon society from a neglect of duty to itself. If society is wise, the protection available in total prohibition, will not be long ignored.

The question
simplified.

The POLICY of the Alliance accords with the principles professed; the one explaining *what* should be done, the other *how*.

This Policy has respect to the People and Parliament of the United Kingdom.

The People
of the United
Kingdom to
be educated
& organized
in favour of
prohibition.

In relation to the PEOPLE, its aim is to *educate* and *organise*; to disabuse their minds of false conceptions; and, with a knowledge of the evil thing, to produce a sense of responsibility for the existence of that evil. To act on the people, who alone can act on the legis-

* Argument for the Legislative Suppression of the Liquor Traffic. By Dr. F. R. Lees. p p 317-8.

lature, was the first, and is the unvarying, policy of the Alliance. Its constitution describes its object as being "to call forth and direct an enlightened public opinion to procure the total and immediate legislative suppression of the traffic in all intoxicating liquors as beverages." In doing this, the Alliance has not assumed a hostile or indifferent attitude towards attempts, by whomsoever originated, for further restricting the drinking trade. Some of these attempts have been attended with most excellent results, while the motives of their supporters, and the discussion they excite, even where they fail to be realised in legislation, must always receive our sympathy and praise. It cannot, however, be allowed that, even where most successful, they *adequately* represent the benefits which Total Prohibition would procure. The shackling and crippling of the traffic leaves it gigantic power, and the opiate which merely sends it to sleep is not to be classed with that which gives it over to death. During the hours of sale a supply of drink for the hours of no-sale may be obtained; and, either before or after the intermission of traffic, the supply may flow faster, to make up for the lost time. Yet it is absolutely certain that, under every difficulty and evasion, every restriction of this traffic must be of advantage; some temptations are escaped while the machinery of ruin stands still. Total prohibition immediately asked, because immediately needed, is, however, the doctrine which the Alliance was established to enunciate and defend, and this doctrine it has endeavoured to proclaim to the British people through the platform, the pulpit, and the press; by sermon, meeting, lecture, and discussion; in tract, pamphlet, newspaper, and essay. This is its popular policy, and it has succeeded beyond the expectations of its earliest adherents. Prejudice and error have been dispersed; an influential organization has been formed; and the extensive ripening of the public mind within six years of effort, is evidence in favour of this policy not lightly to be esteemed. Those who advocate the policy of progressive restriction, with an eye to ultimate prohibition, share in our good wishes for their success. Our hopes of that success are, however, not very sanguine. If they keep back prohibitory truth, what substantial progress will they gain? and if they proclaim that truth, will not the converts they make be as ready for prohibition as for something less? The difference of policy between them and the Alliance is this:—the Alliance hails restriction, but pleads for prohibition; they will hail prohibition when it comes, but they plead for restriction. We think the soundest policy to be—a systematic demand for all that is due. The chivalrous opponents of the slave-trade would have been glad if it had been restricted, but they asked for its immediate abolition. The total abstainer is happy when a man partially or temporarily abstains, yet he preaches total abstinence as every one's immediate duty. The Christian minister rejoices when vicious courses are renounced, but he continues to enforce upon his hearers immediate compliance with the whole duty of man. Circumstances

Restrictive legislation against the traffic good, but essentially defective.

A distinction of policy pointed out, and the policy of advocating immediate prohibition defended

may often render a demand for restriction expedient, and from such demands prohibitionists will not withhold their influence; but restriction to such demands by professed prohibitionists is another and very different matter. Never can the Alliance descend from the position it has assumed—that of declaring the whole truth to the people, and of impressing them with the duty of turning that truth to their immediate profit and protection.

Alliance policy towards the Houses of Legislation.

In regard to the BRITISH PARLIAMENT, the policy of the Alliance from the commencement has had respect to the communication of facts and arguments justifying Prohibition, addressed to the individual Members of both Houses. Deputations to Members of the Government, and other persons of political influence, have from time to time been appointed. Select Committees have likewise been watched and furnished with information. We may particularly instance the evidence submitted to, and printed in the minutes of, the Select Committee of Public Houses, over which the Right Hon. C. P. Villiers presided in 1853-4. An important part of this policy has ever been to bring the public opinion favourable to Prohibition to operate upon the representatives of the people. For this end the Alliance has promoted local deputations to candidates and M.P.'s; and in pursuance of the same object, "Suggestions for a Permissive Bill" have been prepared by the Council of the Alliance, and scattered myriad-fold over the land. As the meaning of this step has been misconstrued by some opponents and a few professing friends, a brief explanation will not be without its use. The "Suggestions" are not something short of prohibition—a lowering of the flag—but an exposition of what prohibition is, and how it can be most easily and readily brought into local operation. They were issued to prove that certain objections against "premature" national prohibition were of no essential weight, and to vindicate the right of the people to exercise the powers with which the magistracy are now nominally entrusted, but will never employ. If it be asked "why the suggestions were not published at first?" it is answered, that until public opinion in favour of prohibition had been widely elicited, it would have seemed ill-timed to ask the Legislature to arm public opinion with the prohibitive veto. Politicians adapt their measures to a public want, real or supposed; and evidence of this want was required before the Legislature could be expected seriously to entertain the suggestions. The agitation for a Permissive Bill is, therefore, no deviation from, but a natural development of, the parliamentary policy of the Alliance, the policy, that is, of bringing the public opinion of the country to weigh upon the proceedings of the Imperial Parliament. In themselves, the "Suggestions" are designed to indicate, with all possible straightforwardness, the leading features of such a measure as the Alliance is prepared to petition for. The principle is permissive; so that if the Bill were law, no district would come under its operation until two-thirds of the votes given at the appointed time and place were in favour of

The "Suggestions for a Permissive Bill" submitted: why not before prepared.

The "Suggestions" summarily stated

its adoption. Provision is made for the detection of offences against the Act, and their appropriate punishment. The sale of intoxicating liquors as beverages would be strictly prohibited; and for other purposes (sacramental and medicinal chiefly, if not exclusively,) agents would be chosen, who would sell under stringent conditions, and who would be paid a fixed compensation for their trouble. Search warrants would only be issued upon the testimony of credible witnesses; and private houses would not be searched, unless they were known to have been used for this "liquid merchandise forbidden." Liquors legally seized would be destroyed, as gambling instruments now are; and law-transgressors would be amenable to fine and imprisonment, and for all damages committed under the influence of drinks illegally dispensed. The private manufacture of fermented liquors, which is at present regulated by laws of its own, would not be specially prohibited by this Bill, if no traffic in them, direct or indirect, was carried on; as the character of the law would not be sumptuary, dictating what should be absent from the table, but mercantile, dictating what should be absent from the shop. We are not ignorant of the disadvantages under which a measure of the kind would labour, carried out in very limited districts; but as these difficulties would have to be encountered by its friends, opponents can have no reason to object. Will Parliament concede the Permissive principle? Not except under the influence of pressure from without. But to a people loudly calling for that control over the liquor traffic, which is now vested in an irresponsible body, we do not believe the Legislature will long turn a deaf ear and empty hand. What application of the principle of local self-government could be more graciously conceded or would be more gratefully accepted? Some landed proprietors have already exercised their powers of prohibition. "We are ourselves acquainted with villages," says a reviewer before quoted, "where it has been virtually enforced, with the utmost benefit, by the mere refusal of the landlord to allow any sort of beerhouse on his estate;" and the same writer, in suggesting a permissive scheme, justly adds, "If a Maine Law were applied in the way we have proposed, it would in each case spring from the public opinion of a locality, and be supported by it."*

How the Permissive principle may be obtained.

This plain exposition of Principles and Policy is now submitted, in all good faith and confidence, to the British public. If we are asked what the Alliance relies upon for success, we refer first, to the inherent justice of the cause, crowned with the smile of a paternal Providence; then, to the intelligence, candour, and patriotism of the British people. There is on the one hand "the small sacrifice which is required to purchase the inestimable blessing of temperance for the whole nation;" and on the other hand there is "the growth of enlightened philanthropy, which, to those under its influence, (a body daily increasing) makes a thousand such sacrifices as that of

Grounds of prospective success.

Mr. M. D. Hill quoted.

renouncing intoxicating drinks felt as nothing, when put in comparison with the delight with which they would contemplate the extinction of intoxicating habits among their countrymen."*

What sacrifice is necessary to success.

The Alliance does not under-estimate the sacrifice which many would think themselves called to make, if its objects were attained; but the self-denial requisite for making that sacrifice would be bountifully rewarded, and it might, perchance, be discovered that the sacrifice had been exaggerated by attaching an undue importance to the exhilarating property of intoxicating liquors. Let each man be willing to resign for himself whatever supposed conveniences the liquor traffic may afford, in consideration of the public danger and evils resulting from its continuance, and the drink trade is doomed. And what is the sterling value of our boasted patriotism and love of reform if, in so vital a particular, it shrinks from the test of all patriotism and reform:

"To the general good
Submitting, aiming, and conducting all."

Attitude of the Alliance.

The Alliance absolutely disclaims all semblance of dogmatism or dictation; but "it believes, and, therefore, speaks," in order that the people may believe and attest their faith by their works. All associations are exposed to two trials—they are often accused of a love of domination, and they are yet oftener subject to an adulation which brings them no substantial aid. Let those who wish the Alliance well, help it by becoming a part of it. In the alliance of the people, and in this alone, can it be strong.

Its dependence on the people.

The bolt is made ready, but only the hand of public opinion can discharge it. It is apathy more than active opposition that we have reason to deprecate and dread. The countryman who stood on the river's banks, expecting it to run dry, was a sage compared with those who act as if they expected the public fountain of intemperance to exhaust itself, or the connexion between the fountain and the stream to cease. What we work for we shall get, and nothing more. There are no spells and talismans by which we can confront and overcome the dragon-trade of our land; and in vain will be lamentations and regrets, protestations and cries, unless battle is joined with the public foe, every man and woman doing something for victory:

"While in the radiant front superior shines
That first paternal virtue, Public Zeal,
Who throws o'er all an equal wide survey,
And, ever musing on the common weal,
Still labours glorious with some great design."

* "A Voice from the Bench Vindicated," by M. D. Hill, Esq., Q.C., Recorder of Birmingham.

THE POLITICS OF TEMPERANCE.

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THE

UNITED KINGDOM ALLIANCE

MONTHLY PAPERS.

THE HISTORY

OF

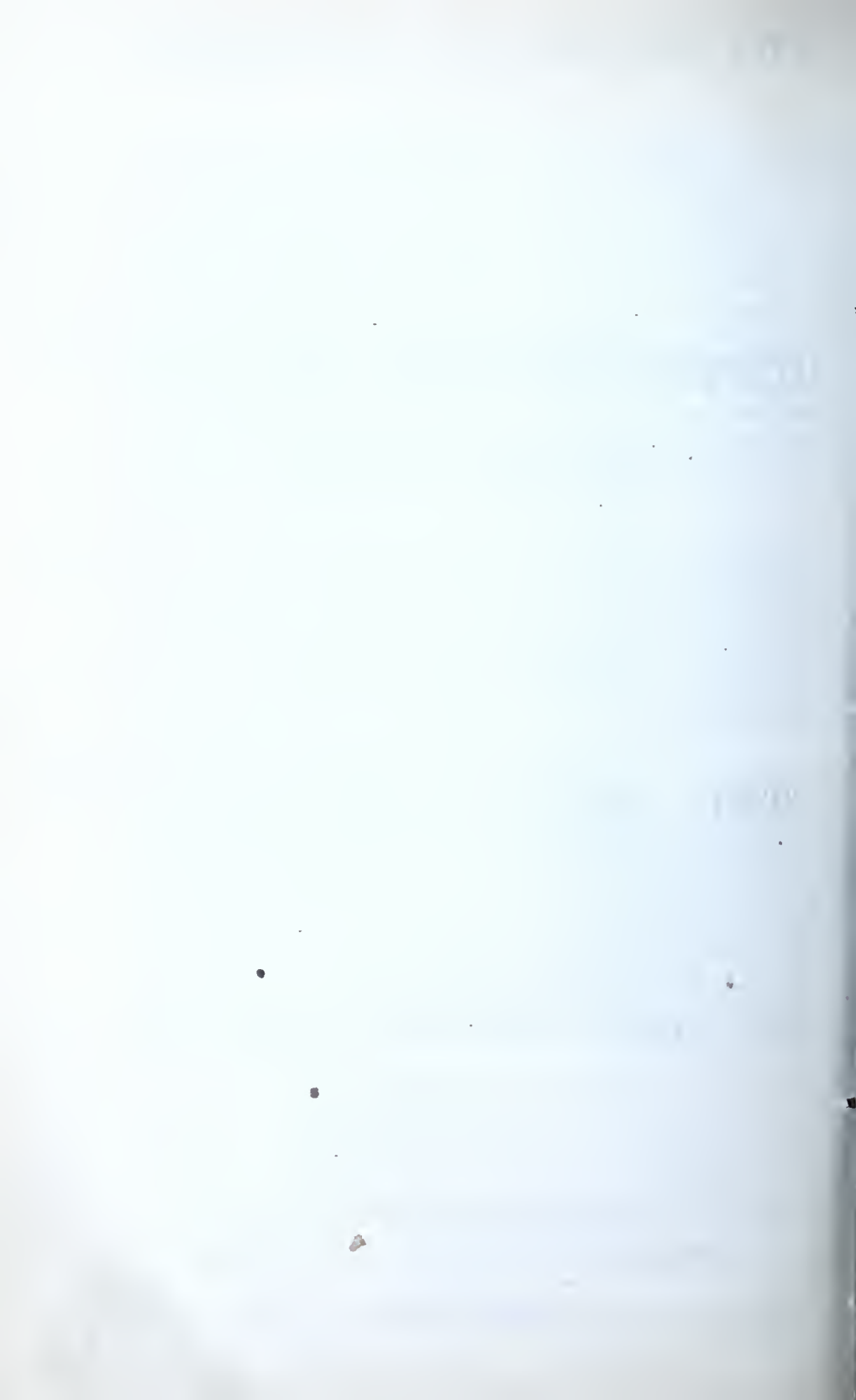
THE STRUGGLE IN MAINE.

No. 2, FEBRUARY, 1859.

LONDON; PARTRIDGE & Co.

MANCHESTER: UNITED KINGDOM ALLIANCE.

PRICE ONE PENNY.



THE HISTORY OF THE STRUGGLE IN MAINE.

Re-printed from "Meliora."

"THE law," said Judge Platt of the United States, in 1833, "which licenses the sale of ardent spirits is an impediment to the temperance reformation. Whenever public opinion and the moral sense of our community shall be so far corrected and matured, as to regard them in their true light, and when the public safety shall be thought to require it, dram-shops will be *indictable at common law as public nuisances.*"

On the 8th July, 1856, at Rockport, Massachusetts, some two hundred women assembled, and, proceeding to several places where intoxicating liquor was sold, entered by force, and destroyed the liquors they found. The owner at once set in motion the machinery of law to punish these daring violators of the sanctity of property. The defendants pleaded that their acts were justifiable, inasmuch as liquors kept for sale *were by statute of 1855 declared to be common nuisances*, and as such, could be abated by the destruction of such liquors.

In charging the jury, Chief-Justice Shaw said, "Two acts of the year 1855 (ch. 215, § 37, and ch. 405, § 1) have been cited and relied on. By the first of these, all intoxicating liquors kept for sale, and the implements and vessels actually used, are declared common nuisances. By the latter, all buildings, places, or tenements used as houses of ill fame, resorted to for prostitution, lewdness, or for illegal gaming, or used for the illegal sale or keeping of intoxicating liquors, are hereby declared common nuisances, and are to be regarded and treated as such." And carefully pointing out the high responsibility attached to the enjoyment of such a right, and the great caution required in its exercise, the learned judge proceeded:—"All persons have a right to abate a public nuisance. As in cases cited by the defendants, individuals may cut down a gate erected in a highway, or destroy a bridge thrown over navigable waters. I am of opinion, *that if liquors are kept illegally for sale, they with the implements of trade having been declared by law a public nuisance, any person may destroy them.*"

The interval of twenty-two years occurring between these two remarkable legal dicta, is the period to which we invite the brief attention of our readers with reference to the temperance movement in America.

Early in the history of the American temperance reform, which was based on the inculcation of personal abstinence, the reports of the society abound in denunciation of the traffic, and in declarations

The History of the Struggle in Maine.

of its immorality. Men of practical sense perceived that the traffic would never be beaten down if it were assailed with no more powerful missiles than hard words. They saw that there was a limit beyond which moral suasion *could not* operate, and, taking a wise and statesmanlike view of the nature and objects of law, they resolved to arm themselves with its power, and so push the attack with greater safety and success. Mustering a few regiments, the leaders gave the word of advance into the battle-field of politics.

In Great Britain, especially in England, the administration of the laws relating to the licensing of public-houses has been confided to magistrates appointed by the crown, and therefore altogether free from popular control. In America, the magistrates being elected by the people, some popular supervision has always been exercised over their decisions. In some states, still more direct reference to the will of the people has been made in the license laws. In Rhode Island, and Vermont, and subsequently in New York, a direct vote of the people of a district, and even of a state, decided on the granting of licenses. Hence the first and obvious application of legal power to the suppression of intemperance in America was a vote for "no license." In 1832 this policy triumphed in some of the districts of Massachusetts and rapidly spread. In 1834, several counties of the state adopted it. In Suffolk, licenses were reduced from 613 to 314; in Hampshire, from 83 to 8; in Plymouth and Bristol, no licenses at all were given. Connecticut and Vermont, both tested the people every year, the latter state especially giving repeated majorities against the granting of licenses, in 1847 the vote being 13,707 *for* license, and 21,793 *against*. In New York itself, in 1845, the vote cast was—*pro*, 111,884; *contra*, 177,683, four-fifths of the cities and towns being *against* licenses. The results attendant on this policy were abundantly encouraging. Barnstable and Duke Counties, in Massachusetts, at once freed themselves from public-houses, paupers, and criminals; and in one town, where to a population of 7000 there had been 469 paupers, 11 only, after four years of no license, remained chargeable to the commonwealth. In Ontario County, New York, the vote of 1845 found the inmates of the gaol 125. The operation of that vote, during 1846, reduced the number to 53. In Genessee County the result was even more favourable.

But although this guerilla warfare was in many cases successful, the leaders soon discovered it was exhausting. The recurrence, year by year, of a struggle so vital, and at the same time so unrelenting, disheartened the combatants, who felt as though their victory could never be secure. Side issues frequently introduced themselves to complicate the vote, and it was but rarely that the atmosphere of politics was sufficiently quiescent to allow the voice of the people to be distinctly heard on this question alone. Notwithstanding the blessed results in some districts, the small area affected deprived them of any startling effect, while the facilities for smuggling and evasion were of course considerable. Hence,

very early in the "no license" agitation, the temperance men of America sought to gain *additional* legal powers from the legislature. In 1838, for example, Tennessee enacted a law prohibiting *all* sale in quantities less than one quart; and Massachusetts adopted fifteen gallons as the smallest measure. In 1839, Mississippi enacted a one-gallon law, while Illinois granted power to towns and counties to *suppress* the retail traffic on petition from a majority of adult male inhabitants. In the meantime, constant efforts were put forth to avoid the difficulties and disadvantages of these constant fluctuations, by procuring a final state enactment which should at once decide the policy of that government. It was sought to gather up and consolidate into one law, which should not be liable to change and agitation, the various expressions of popular sentiment which, in the shape of county or city laws, were floating about in almost every state in the union. MAINE was the first state to accomplish this: whence all laws prohibiting the traffic in strong drink have come to be designated "Maine Laws." Our space being necessarily limited, we propose, in our present article, to confine ourselves to an investigation of the fortunes of the Maine Law agitation in its parent state.

In February, 1837, a committee of the legislature of the state of Maine presented a report founded on numerous petitions, and framed a prohibitory bill. This bill was rejected by the legislature. The idea had not originated, however, with the members of the government, but with the people; and the people were determined to give their idea a practical embodiment. In 1840, they elected a legislature which passed the rejected law, but only to be vetoed by the governor. It was not until 1846 that the temperance men of Maine succeeded in placing *on their statute-book* a prohibitive law, and this in a very imperfect form. The opponents of the law, though not strong enough to prevent its enactment, were able to deface it. In its passage through the legislature, it had received many clippings and much pressure, so that on its emergence the original shape and structure could hardly be recognised.

Whatever may be said in defence of the principle involved in such legislation, its friends admit that a law intended to restrain a violent and often uncontrollable appetite must more than any other be liable to evasion. Especially is this the case with an appetite so *peculiar* as the drink appetite. Stimulation and not satiety is, in it, the consequence of indulgence. The presence of temptation rouses it to ceaseless activity. The ravenous and irresistible monster can never be lulled into inactivity, or quietened by gratification. Nothing but absolute starvation can destroy it. The mere interposition of *difficulty* can be but of very limited advantage. The appetite, excited by the presence of temptation, constantly overleaps the difficulty. Making no provision for such a state of things, the Maine Law of 1846 was undoubtedly a failure. It professed to prohibit, but the machinery it employed was radically defective. The old apparatus of heavy fines was supposed to possess sufficient

terrors. The real source of the mischief—the drink—inflamed the desire of its victims, and they were content to render the trade so profitable that the payment of a fine upon detection was no great hardship upon the seller. The trade was carried on, secretly if possible, but still with its usual results. The snake was “scotched, not killed.”

The temperance men of the state, however, speedily discovered their mistake, and set about devising some modification which should enable them to work their new machine without the unfortunate hitch. The people were by a large majority in favour of an efficient prohibition. Interested parties struggled with this public sentiment in vain. The elections of 1849 were decisive, and in 1851, the law which has been accepted as the “pattern” law of prohibition was adopted by the state of Maine.

The majority in both houses indicated the prevalent feeling. The law was carried by a vote in the House of Representatives of eighty-six to forty, and in the senate by eighteen to ten.

It is not our intention, nor would the space at our disposal allow us to follow the progress of similar legislation in other states of the Union. Several adopted the policy of Maine *during the same year*.

The Maine Law of 1851 differed greatly from that of 1846 in efficiency, but very slightly in form. It permitted the apparatus of the traffic to be received as evidence, just as the implements of the coiner or gambler are, and it conferred upon the officers charged with its enforcement the power to *destroy*, on proper investigation, *the liquor itself* wherever found illegally for sale. It is worthy of note that in every law which has been found efficient these apparently unimportant provisions have been included. The temptation being *destroyed*, the appetite is quiescent, and the *reason*, even of the most slavish inebriate, approves the effort making for his salvation. The law of 1851 was respected because decisive; obeyed because prompt and vigorous. Evasion, although in some cases successfully attempted, was not frequent, because the instrument left by the law of 1846 in the hands of the traffickers to provoke a desire to evade—the drink itself—was absolutely removed.

The Hon. Neal Dow, who had been the leader of the temperance party and framer of the new law, was, at the time of its passage, mayor of Portland. He at once proceeded to enforce its provisions. It was not unforeseen by the temperance men that the extreme tension of party feeling could not be altogether maintained; that reaction must be anticipated after so signal a success. They were anxious to maintain their law in its popularity by rendering its operation as mild and moderate as possible. Mr. Dow was a man of other mould. He, too, foresaw a coming relaxation in public enthusiasm, but he believed it better to exhibit to the world one year of efficient enforcement of the law than to secure a longer tenure of less energetic administration. “Let us,” said he, “show the people what *can* be done with the law. Let us write on the history of our city, in characters of living light, a lesson which may

show what a year of prohibition really is." This task he accomplished. The House of Correction at Portland, which contained during the year prior to the passage of the law of 1851, and under that of 1846, seventy-four drunken persons, speedily became too large for its occupants. The new law went into force under Mr. Dow's auspices in June 1851. From that period to the 16th of October the committals for drunkenness were eight. From October to January NONE.

On the 15th June, 1852, the house was reported EMPTY. Of course such a decrease of intemperance exhibited itself also in the criminal calendar. Drink is the great crime-producer. Instead of 192 cases of petty larceny, Mr. Dow found himself compelled to adjudicate on thirty-one only during his year of office; and the reports of the police declared that "there was little use for a body of police or night watchmen, because, with very few exceptions, there was good order everywhere in the streets."

Throughout the state, although no other administration so vigorous as Mr. Dow's might be found, similar, if not so extensive triumphs were achieved. At Bangor, such was the effect on the poverty of the community that the cultivation of the workhouse farm necessitated the employment of hired labourers, there being no paupers. At Augusta, the police, who, according to the statement of the mayor, were usually called out a hundred nights in the year, "during the six first months of the operation of the law" had not been required once.

It was only to be expected that a strenuous resistance would be offered to Mr. Dow's re-election as Mayor of Portland. The energy of the "rum party," bound up as it was with all the interests of selfishness and incitements of appetite, knew no abatement; while the lethargy consequent on the achievement of victory after a long struggle began to creep over the friends of temperance. Withal, however, the opposition could only succeed in substituting the name of Mr. Cahoon—a Maine Law man of more pliable material—for that of Mr. Dow. But even under his feebleness administration the law continued to be productive of benefit, and rapidly established itself in the affections of the people. Of course evasions were not altogether unfrequent—the varying energies of the authorities of different districts enforcing the law with vigour, or suffering it to relapse into disuse. The constantly-changing circumstances of the population of all American cities, and the rapid influx of new inhabitants, tended to undermine the fabric which Mr. Dow had erected. In course of time, too, the courage which had been cowed, revived, and the traffickers associated themselves together for purposes of resistance. But through all, *the people* remained firm, public disorder in no case followed the enforcement of the law; it was not only submitted to, but respected and valued. The opponents of the law persistently originated reports of its failure; and at the very time of its most beneficent and *undoubted* results, the same rumour, almost in the same words, which has recently become

famous, was industriously circulated. A document is before us, dated Portland, October 1853, signed by Mr. Cahoon, mayor, and 435 of the leading citizens, expressly framed to contradict the assertion, "that more was sold and drunk than ever," and that "there was more intemperance than at any previous time for twenty years."

Thus, with alternating fortune, the temperance party stood by their strong position. With more or less efficiency, the law remained upon the statute-book. We shall have a word to say presently about the legal difficulties which in Maine, as well as in other states, obstructed its operation. It must now suffice to state, that at last, in 1855, a successful rally again placed Mr. Dow in office as Mayor of Portland. It was during this, his second term of office, that one of those unforeseen disasters occurred which occasionally test the courage and calmness of public men. The law of which we have been speaking, while prohibiting the common sale of liquors, empowered the municipal authorities to establish city agents, paying them by salary, who should sell for medicinal, manufacturing, and other lawful purposes. In order to supply these agents, the authorities purchased a stock of liquors, which were deposited in the city hall. Mr. Dow's enemies, who had long endeavoured to weaken his influence, circulated a report that he had himself commenced business as a liquor-seller on a large scale, and was violating his own law by keeping liquors unlawfully in his possession. A warrant was at once obtained, and the liquors seized by the proper officer. A judicial investigation of course cleared Mr. Dow from every imputation; but before the trial, and ostensibly to secure the due administration of the law, a mob assembled, and ultimately proceeding to riot, sought to gain admission to the city hall and to obtain possession of the liquors there deposited. The danger became imminent, since, if they had succeeded in their attempt, the rioters would probably have rushed into frightful excesses. The mayor, Mr. Dow, as the chief officer of the city, at once took steps to restore public order. The riot act was read; the military called out; blank cartridges fired; but in vain. At last, with great reluctance, orders were given to fire with ball. Several of the mob were wounded: one man was killed. The judicial inquiry into these circumstances, and the verdict of the coroner's jury, a second time vindicated Mr. Dow; but all concerned regarded these sad events as most untoward and disastrous. Anything like a popular resistance to the law the Portland riot *was not*; but it is easy to conceive how potent a weapon it became in the hands of the opponents for the elections of 1855, just then imminent. It was in these elections that the friends of the Maine Law in Maine suffered their most serious reverse.

The American appetite for politics is very keen. The numerous party names, and the constant and ever-new subdivisions of party, which perplex the European reader of the American press, indicate the analytical subtlety with which the Yankee mind pursues its

favourite excitement. The unexpected hostilities or coalitions which are thus daily arising, render it almost, if not absolutely impossible, to predict the future of American politics for even a single year. We could not undertake, even were it needful, to explain to our readers the distinctions between "hard shells" and "softs," "straight," and "hunker whigs." It must suffice for our present purpose to recall to remembrance the two great parties into which American politicians are divided, viz., Republican and Democrat. The Whigs, and after a meteoric course of success, the Knownothings, though still a numerous body, may be disregarded in the consideration of the circumstances we are about to describe. The distinctions between the Republicans and the Democrats are radical. The Republican party is anti-slavery; the Democratic sympathises with the feelings of the southern states. As may be supposed, the majority of temperance men belong to the Republican party—slavery and rum are too intimately associated to be dissevered in politics. Rum figures largely in the slave traffic as a "medium of exchange" and avenges outraged humanity by binding the "superior race" in a still more abject bondage than that of the chain and the lash. Hence, it being rarely possible to present to the people for their vote a temperance issue, uncomplicated with other party considerations, the temperance party in Maine and in other states has generally shared in the vicissitudes of the Republican party. Of course all Republicans are not temperance men; some are purely and selfishly politicians; and there have been instances in which, having used their votes, the Republican politicians have looked indifferently on the claims of the friends of sobriety. But this has always been disastrous to them. So important to the Republican party is its temperance strength, that any serious alienation, as in New York, has uniformly resulted in crushing defeat.

The elections of 1855, in Maine, were disastrous. The Nebraska question was in full discussion. The Republican party had to contend with all the difficulties of that excitement, as well as with a combined opposition from the opponents of the Maine Law, supported by unlimited funds from those interested in the strong drink trade in Boston and New York. The opportunity was too favourable to be missed. It was seized, and nothing was omitted which could secure a victory. To the House of Representatives were elected 61 Republicans, 69 Democrats, and 21 Whigs.

In the contest for governor, the relative strength of the parties was more completely tested. Mr. Morrill (the previous governor, a Republican and thorough Maine-Law man,) obtained 51,000 votes; Mr. Wells (Democrat and anti-Maine Law) 48,000; and Mr. Reed (a Whig, and neutral on temperance) 11,000. Mr. Morrill's votes showed no diminution in republican strength. It was a larger vote than had ever been polled for a candidate for the governorship at any state election in Maine before. It was, as will be seen, a *numerical majority*, but according to the constitution of the state of Maine, this was insufficient. A *plurality* of votes was needful to

render the popular decision available. The Whig candidate went to the poll in order to neutralise some republican support, and the *ruse* was successful. Mr. Morrill's votes did not equal those of Mr. Wells and Mr. Reed *together*. The election of governor was therefore remitted to the legislature for decision. A glance at the constitution of that body will prepare our readers to anticipate the selection of Mr. Wells.

The Democratic party now in power found themselves, however, in some difficulty as regarded the "Maine Law." Several of its successful candidates had declared that their object was not a repeal of that law, but at the most such a modification of it as should obviate its most stringent, and, as they said, its oppressive features. They thus lulled into apathy the alarm of some of the temperance men who were less earnest, or who were subject, as the Americans say, to "democratic proclivities." Six months elapsed before they sought to interfere with the law. At last Mr. Barnes, a Whig senator, introduced a bill which, repealing the Maine Law, substituted a system of license so stringent, that, with the efficient enforcement and popular respect universally accorded to law in this country, it would be thought almost, in practical effect, equivalent to prohibition.

The democratic conscience as regards the good faith of those we have alluded to, was appeased by the insertion of a clause that "No person should keep a drinking-house or tippling-shop within the state." But this clause was truly a "dead letter." The results of the change were immediate, and whatever may be the difficulty of obtaining full and reliable statistical information as to the facts of prohibition, on these the testimony is unanimous. Drunkenness again prevailed; crime rapidly increased; and all the evils attendant on a thriving trade in rum again desolated the state. Our space forbids our quoting testimony. But perhaps as decisive a proof as can be found, that the repeal of the law was neither in accordance with public sentiment in Maine nor justified by experience, was presented by the elections of the following year, 1856. After his term of office, Governor Wells was indignantly rejected by an adverse majority of no less than 20,000 votes. This defeat, which crushed out the democratic party in Maine, placed the whole power in the state in the hands of the friends of the Maine Law. But it was not immediately re-enacted.

The necessity for close party coherence in the struggle of that year, and the absorbing interests of the anti-slavery question, pending the presidential election upon which that vote would operate, undoubtedly overshadowed the temperance issue. It was said that a tacit understanding had been arrived at, that the Maine Law re-enactment should be held in abeyance. The temperance leaders at once repudiated any such understanding, but declared that rather than incur even an accusation of bad faith, they would postpone their intentions until the wishes of the people could be still further ascertained at another election. This forbearance was amply justified in the result. The majority of 1857 was even more triumphant than that

of 1856. The governor, Mr. Morrill, was returned by a majority of 12,800; the members of the House of Representatives being 115 Republicans to 36 Democrats, while in the Senate only *one* Democrat obtained a seat.

At this election the re-enactment of the Maine Law was distinctly in issue. Many of those who had opposed it previously, now openly registered their votes in its favour, avowing that the terrible results of the license experiment had satisfied them that the safety of the state was involved in the final adoption of prohibition as the policy of Maine.

A committee was appointed at once, to draw up a draft of a law which should satisfy the demands of the people, and redeem the pledges of the legislature. This law was thoroughly discussed and adopted in April of the present year. The vote in the House of Representatives was 103 to 36, in the Senate *there was only one dissentient voice*. The Democrats seem to have voted to a man.

It will be seen, on comparison of these figures with those of the vote by which the original Maine Law was carried in 1851, as given at the commencement of this article, how steady, in the midst of all vicissitudes, had been the progress of the question towards a decisive settlement. The law, as carried, was declared to come into operation on the 15th of July, 1858, provided it was accepted by the direct vote of the people. This direct issue was accordingly submitted to the citizens in June, and resulted in a vote of 28,864 for Prohibition, and 5,912 for License. **THE MAINE LAW IS THEREFORE RE-ESTABLISHED IN MAINE BY THE DIRECT VOICE OF THE PEOPLE.**

It is true the number voting on this issue does not represent more than one-third of the entire number of voters. It is, however, much larger than has ever, save in election contests, been polled before on any public question in Maine. The Democrats, anticipating an exposure of weakness, announced their intention to abstain from voting. The vote was taken in the midst of the field operations of the country population, who, thus relieved from the dread of defeat or even of opposition, felt no pressure of necessity to leave their occupations, and travel eight or ten miles to the nearest polling-booth. It is said, however, that had the entire votes of the State been taken, the relative proportions, as actually cast, would not have been materially altered. Since the vote, a sort of underground rumble has proceeded from democratic quarters, threatening terrible destruction at the elections of the present month. Whether the volcano is extinct, or whether an irruption will overwhelm the labours of the last few months, remains to be seen. We share in the confidence of the temperance men of Maine, so far as the social and political condition of America justifies any confidence at all in her social and political stability.

We do not recommend our readers, however, to draw hasty conclusions from American experience. The causes which obstruct social reforms in America, and which especially operate as difficulties

in the way of such legislation as we have been discussing, are peculiar, and have no representatives in the circumstances of our own country. American disaster, past or future, need not dismay British prohibitionists. America should be used more as an illustration of what may be accomplished under great disadvantage, than as a final authority for European politicians.

Take a few of the most prominent of these peculiar difficulties. Who has not heard of the British constitution? Who has seen a copy of it? The mystic growth of centuries has no palpable existence. In the United States it is far otherwise. Not more than one generation has passed away since the sovereignty of the people was appealed to, to ratify the conditions of the social compact under which the American Republic has grown up. Washington, and Jefferson, and Franklin are almost remembered by the present busy crowd which throngs Broadway, or the idlers who lounge at Saratoga. Not only are the terms of the federal union which binds together the various elements of that mighty power thoroughly understood and rigidly defined, but each state having for the regulation of its own internal affairs its own independent government, has limited by a written constitution the powers of each department of that government. Thus there are certain fundamental principles declared by the sovereignty of the people to be inviolable—the extent of the judicial authority is explicitly limited, and the power of the legislature strictly confined within certain bounds. The vehement outcry of “unconstitutional” raised in America, therefore, by the opponents of any special legislation, is not without meaning. Echoed as it has been on this side the Atlantic, it is a mere “cuckoo” cry. Here, the power of Parliament—of Crown, Lords, and Commons—is absolute. A law once passed by both houses, and having received the royal assent, becomes part and parcel of the “Constitution,” and the only question for our courts of justice is, “What is the law?” Our judges have great confidence reposed in their integrity, but they cannot over-ride, or repeal, or nullify an Act of Parliament. In America, the courts must not only decide as to the law applicable to any particular case, but may be called on to entertain the question, “Is this law constitutional?” The supreme judicial authority of the state is thus practically invested with a repealing power, even after all constitutional forms of legislation have been complied with. As an illustration we may give the New York prohibitory law. That law, beneficently operative during the short period of its existence, was decided to be “unconstitutional,” and therefore void, not on account of its object, but because in some of its provisions with regard to the confiscation of property, the legislature had exceeded the powers committed to it by the constitution of New York state. No such difficulty can arise here.

The separate existence of each state of the Union necessitates strict control of its relations to each other member of the federation. Thus, while internal government is the affair of each state, certain questions—as fiscal arrangements, exports, imports, foreign relations

—are properly referred to the decision of the general congress of the states. With the exception of the “Act for the protection of the Indians,” congress has not prohibited the trade in strong drink. It allows its importation, and fixes the duties payable. Where a state has prohibited the trade so far as its own territory is concerned, a collision thus takes place between state law and congress law. This was a point early raised by the opponents of the temperance policy. Under the old “no-license laws,” the difficulty was formidable. So far back as 1847 appeals were carried to the Supreme Court of the United States from Massachusetts, Rhode Island, and New Hampshire (*vide* 5 Howard’s Reports, 504).

This question, however, could arise only in a federal union, and this, refined into innumerable subtleties, still perplexes and harrasses the temperance reformers of America.

It is the proud boast of the British citizen that the judges of his country are incorruptible. They occupy a seat far above the turmoil of political strife; and though history records instances of degradation of the ermine, those times have long passed, and British law is administered with inflexible British justice. But it is one of the disadvantages of a democratic form of government—to a legal mind at all events—that the judges must be *elected* by the great sovereign people. In some of the states these judicial elections occur triennially; in some, we believe, as often as every year. Hence the judges too frequently resort to popular arts to secure votes: and where passion is strong, the unseemly spectacle is sometimes afforded of a judge seeking his own election as a violent political partisan, pledged *not* to enforce a law adopted by the state. It will easily be seen to what abuse this may tend, though it may be difficult to suggest a remedy.

Passing away, however, from these LEGAL points, difficulties of equal consideration present themselves in the social circumstances of the Americans. Europe has for many years drenched America with her surplus population, not always, it must be said, with her most industrious and thriving citizens. The United States census of 1850 intimates that the population of that republic had increased within sixty years, from 3,929,827 to 23,191,876, the preceding ten years showing more than *six millions* of this increase.

The rapidity with which population flows into the cities of the states is so startling, that the circumstances of a thriving community may be altered in a single year, and, without any change in the sentiments of the voters of one year, a decision arrived at be reversed in the next. The foreign population, with a few exceptions, is the source of the principal disorder in America. The Irish and German element, marshalled by fanaticism, led by priestcraft, or impelled by brutal passion, has become a recognised source of danger to the American commonwealth. The rapid development of the “Knownothing” party was a result of political panic. The native American saw himself outvoted by a newly-arrived hoddman, who, with hundreds of his fellows, was marching round to all the

polling-booths and registering his vote at each. Droyes of voters were conducted by some patriot to express their enlightened convictions on the future policy of the United States.

If the rolls of convictions under the Maine Law in that state, or any other, be consulted, the names of the offenders will be found to be almost exclusively Irish or German.

But to make matters worse, the municipal government of the cities, and especially of the great seaports, is to a large extent controlled by this population. The tide of immigration flowing through these ports leaves a sediment behind. Only the thrifty and the sober pass on into the west; the drunken and profligate settle down into the filth which stagnates in New York or Boston. The merchants are either too disgusted to interfere, or reside beyond the municipal boundary and cannot vote. Municipal anarchy is the result. In Boston and New York the Maine Law never was enforced by the municipal authorities, for the simple reason that they were elected to ignore it. It is clear, therefore, that American temperance reformers cannot have a fair chance so long as Europe overwhelms them with drunken emigrants.

But far above all these rises the huge obstruction of slavery, deadening the conscience and weakening the energy of the many, while it absorbs the undying philanthropy of the few. Not only must this vital question constantly override even the necessities of social reformation, but it benumbs the sense of rectitude and intensifies the selfishness of the whole people. With how mincing and tender a footstep is this great evil approached even among the citizens of the "free states!" The clink of the immortal dollar is louder than the clang of the chain. The cord which binds the hands of the abolitionist senator is purchased on the Exchange at New York or Philadelphia. How can it be otherwise than that temperance should sometimes languish, and at times even seem to die, in such an atmosphere as this?

But we cannot boast much of our superiority. The American palliates the crime of keeping in bondage his coloured brother, and urges the difficulties and dangers which must attend anything but a compromise with the wickedness. The Briton points proudly to the record on which is emblazoned, as the accomplished policy of his country, "Total and unconditional emancipation;" but he shields with anxious devotion the vested interest of the brewer or the distiller, and declares the impossibility of attempting anything more than a regulation and restriction of the traffic which brutalises his fellow and stains his country with blood.

The following is a tabular statement of the progress and present position of the Maine Law agitation in all the States in which it has at any time been adopted.

PRESENT STATE OF NORTH AMERICA RELATIVE TO LEGISLATION AGAINST THE SALE OF INTOXICATING LIQUORS.

UNITED STATES.

PROHIBITION in full and satisfactory operation in the following of the United States.

STATE.	Date of Law.	Area in Square Miles.	Population, 1850.	Representatives in Congress.	REMARKS.
Maine	1851	35,000	583,169	6	First law, 1846; second, 1851; repealed, 1856; re-enacted, 1858.
Massachusetts ..	1852	7,250	994,514	11	In this State, after much opposition, the law stands firm.
Rhode Island	1852	1,200	147,545	2	Much obstructed at first; has since been improved, and is now in beneficial operation.
Vermont	1852	8,000	314,120	3	Adopted at the earliest date by unanimous acclamation. This law has always been effectively sustained.
Michigan	1853	56,243	397,594	4	The legal difficulties which at first obstructed this law have given way, the Supreme Court, with one dissentient voice, having pronounced the law constitutional. Not well enforced, however.
Connecticut.....	1854	4,750	370,792	4	After repeated efforts, this State rejoices in an effective administration of the law.
Delaware	1855	2,120	91,532	1	The first of the Slave States to adopt Prohibition.
Iowa	1855	50,914	192,214	2	Ratified by a popular vote.
New Hampshire ..	1855	9,280	317,976	3	Completing the list of New England states

States in which PROHIBITION is the law, but in which its operation has been impeded, or set on one side, by hostile legal decisions.

STATE.	Date of Law.	Area in Square Miles.	Population, 1850.	Representatives in Congress.	REMARKS.
Indiana	1855	33,809	988,416	11	Is practically useless, having been declared, in its present form, unconstitutional. The difficulty is, however, merely technical.
New York	1855	46,000	3,097,394	33	After six months of most beneficial operation the law has been decided to be unconstitutional. The points raised, of course, were purely technical and local; such as a collision between State and general law, the peculiar difficulty of a Federal Union, and the power given to the State constitution by the legislature as regards confiscation of property. The law will be amended, not repealed.
Minnesota (Territory).....	1852	141,839	6,077	—	The Supreme Court decided that this law was unconstitutional, on the ground that it had been submitted to a direct vote of the people. The people, however, having sustained it by a large majority, the legislature has not repealed it.

In the following State PROHIBITION has suffered temporary popular disaster.

STATE.	Date of Law.	Area in Square Miles.	Population, 1850.	Representatives in Congress.	REMARKS.
Illinois	1835	53,409	851,470	9	An ill-constructed law, since repealed, to be replaced by a better.

States and Territories in progress towards PROHIBITION, or in which laws of partial PROHIBITION or severe restriction have been already adopted.

STATE.	Date of Law.	Area in Square Miles.	Population, 1850.	Representatives in Congress.	REMARKS.
Ohio	1854	39,964	1,980,329	21	A stringent law prohibiting sale of all liquors, except wine and cider made from native produce.
Pennsylvania	1855	46,000	2,311,783	25	Retail trade prohibited. Legal difficulties obstruct the full operation of the law.
Wisconsin	—	53,923	395,391	5	The elections of 1855 resulted in the choice of a governor favourable to prohibition, but the law was lost by a narrow majority.
Maryland	1855	11,124	583,034	6	Passed by the Representatives, but lost in the Senate (slave state).
New Jersey	—	8,320	489,555	5	The law recently lost by an even, or tie-vote. The council of Jersey city have carried out a sort of prohibitory ordinance among themselves by a vote of ten to one.
South Carolina ...	1856	29,385	668,507	6	Slave state. Total prohibition on Sundays.
Tennessee	1856	45,600	1,002,717	10	Slave state. Prohibition of sales in quantities less than one quart.
Texas	—	237,504	212,562	2	A law prohibiting retail sales was sustained by an overwhelming majority in 1854, and has since received extension.
Nebraska	—	335,882	—	—	Almost unanimous petitions, <i>all</i> the females joining.
Mosquito (Indian)	—	—	—	—	Total prohibition, as stipulated expressly in the treaty recently signed by Lord Clarendon and Mr. Dallas.

BRITISH AMERICA.

NEW BRUNSWICK.

A law of partial prohibition in 1853; repealed in 1854. Total prohibition adopted in 1855, and enforced in 1856. The hostility of the lieutenant-governor to the law enabled its enemies to repeal it. The province is now under most stringent license. Prohibition will shortly, in all probability, be re-enacted.

NOVA SCOTIA.

Narrow majorities in some technical point of order have delayed the measure in this province.

PRINCE EDWARD'S ISLAND.

Narrowly defeated in 1854.

CANADA.

Lost, in 1856, by 51 to 50. Many counties are under 'no license' authorities, and are consequently without the sale of intoxicants.

THE POLITICS OF TEMPERANCE.

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THE

UNITED KINGDOM ALLIANCE

MONTHLY PAPERS.

TEMPERANCE IN HISTORY.

No. 3, MARCH, 1859.

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TEMPERANCE IN HISTORY.

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If there be any virtue in antiquity it may certainly be claimed by the Temperance movement. The opponents of Total Abstinence Societies admit that they may "boast as ancient and honourable an ancestry as any in the world," that "in some of their features they are as old as history, in others, as modern as yesterday, and in all, not inexpressive of certain of the wants and aspirations of society."* "Without contradiction, in every age of the world there has been a total abstinence movement."† On every page of the great volume of the past the student may find traces of its influence. He may decipher on the walls of the stupendous Egyptian temple the hieroglyphic history of twenty-five dynasties of kings, all of whom, from Menes to Psameticus, drank of the juice of the grape, pressed, as by Pharaoh's butler, into the cup before the king.‡ Or he may read in the legendary poetry of the old minstrel of Greece, the sentiment familiar to him as again uttered by the divinely accredited wisdom of Solomon.§ Or, turning to the precepts of ancient theology, he may ponder the significance of that wondrous temperance revival among the nations, when, almost contemporaneously, Zoroaster was endeavouring to purify the religion of Persia; Heraclitus was weeping over the debauchery of his native Ephesus; Buddha was promulgating to the vast multitudes of Hindostan his special law, "Obey the truth and walk steadily in the path of purity, and drink not liquors that disturb the reason;"|| and Isaiah, the inspired prophet of the Hebrews, in tones, the thunder of which, reverberating through the ages of the past, still roll awfully upon the ear, was proclaiming, "Woe to them that rise early in the morning to follow strong drink, who tarry all night, till wine inflame them! Woe to them that are valiant to drink wine, and men of might to mix strong drink, for they have cast away the law of Jehovah of hosts, and despised the word of the Holy One of Israel."¶ Or, throwing himself, in imagination, into the midst of Athenian society, with its love of pleasure and its high intellectual develop-

* "Westminster Review." † "Medico-Chirurgical Review," Jan. 1851.

‡ *Plutarch*, "De Iside et Osiride."

§ "Far hence be bacehus' gifts, the chief rejoined,

Inflaming wine, pernicious to mankind.

Unnerves the limbs and dulls the noble mind.

Let chiefs abstain."—*Iliad*, Book 6, line 322.

"It is not for kings, O Lemuel, it is not for kings to drink wine; nor for princes' strong drink; lest they drink, and forget the law, and pervert the judgment of any of the afflicted."—*Prov.* xxxi. 4, 5.

|| "Precepts of Buddha."

¶ *Isa.* v. 11, 24.

ment, he may mingle with the throng which listens to Socrates teaching "abstinence from such articles as stimulate to eat when not hungry and to drink when not thirsty."* Or, without more violence to chronology than imagination often commits, he may pass on to hear Plato discourse approvingly of the Carthaginian law, "that no sort of wine be drunk in the camp, nor anything but water; and that every judge and magistrate abstain during the year of his office."† Or, he may linger before the door of Epicurus himself, and there read the inscription, "Passenger! here thou wilt find good entertainment; it is here that pleasure is esteemed the sovereign good. The master will receive thee courteously, but take note! thou must expect only a piece of cake and thy fill of water. Here hunger is not provoked, but satisfied; thirst is not excited, but quenched."‡

We propose, however, briefly to sketch the history of our own condition, and our laws in relation to intemperance.

According to Macpherson, when the Romans invaded Britain intemperance was already ranked among the national vices. To whatever extent this may be true, the introduction of the luxury accompanying the Roman Power certainly tended to increase the evil. When, however, the centre of the empire being threatened, the conquerors withdrew from the extremities to defend the seat of government, Britain came under a power of a different character. Modern England does not belie its lineage; with all their free institutions, the Saxons were proverbially drunken. Their common drink was ale or mead. By 694, so important a luxury was this beverage considered, that Iné, king of the West Saxons, directed that every possessor of ten hides of land should pay him an annual tax of twelve ambers§ of Welsh ale. Pledges, as indications of courtesy, or incitements to excess, though possibly due to the refinement of classic civilization, were universally adopted, and the word, "wæcs hail," indicates the readiness with which the custom became incorporated not only into the habits, but even into the language of the people. "It be an innate quality of this people," says William of Malmesbury,|| "to be more inclined to revelling than to the accumulation of wealth. . . . Drinking in parties is an universal practice, in which occupation they pass entire nights as well as days."

The vices attendant on drunkenness of course followed, and it was to their enervating and degrading effects upon the national mind and energies that the old chronicler attributed the result of the battle of Hastings. Nor were these habits confined to any class. The poem of "Beowulph" introduces us to the banquets of kings and nobles, and we look on at scenes of dangerous debauchery. Strutt explains the custom of the pledge at table, as an engage-

* "Prof. Tyler, "Socrates."

† Plato, "De Legibus."

‡ Seneca, "Epistolæ ad Lucilium," Ep. 31.

§ An amber—seven gallons.

|| "Chronicle," B. 3.

ment, on the part of the guest, to defend his neighbour against violence while in the act of drinking—the arm being raised, the face covered, and the body, therefore, unprotected. Our readers will remember the murder of the first Edmund, on the festival of St. Augustin (946), a catastrophe which might have been prevented had not the king and his entire court and guards been so drunk as to be helpless. Even the clergy were not exempt from the popular frailty. With pardonable care, they secured for themselves the best produce of the field and the vintage. The people soon came to call the choicest and strongest wine, “theologicum.” Of course the authority of the church sought to restrain such excesses, but without much result. Then, as now, it was felt to be difficult to define drunkenness. Where was the line to be drawn, which, in social enjoyment, should rigidly separate “the talky, the argumentative, the disputatious, the altogether, the unintelligible, and the drunk?” Let modern legislators read and learn—“This is drunkenness,” says a canon of the Saxon church, “when the state of the mind is changed, the tongue stammers, the eyes are disturbed, the head is giddy, the belly is swelled, and pain follows.”

By the reign of Edgar (958), intemperance had become so terrible as to induce repeated efforts on the part of that king to check it. In Dorsetshire may yet be seen Saxon vessels divided or marked with pegs at regular intervals. Beyond the next peg no guest could be allowed to drink, under legal penalty, as the cup was circulated round the table. The legislation advised by Dunstan, Archbishop of Canterbury, was more sensible. Acting on his suggestion, Edgar forcibly suppressed all ale-houses, excepting one in every village or small town; thus affording an early authority for legal interference with the trade in strong drink.

With the Normans were introduced habits of greater refinement. The “science of cookery,” which they brought with them, indicates a delicacy and luxury to which the rough Saxons were strangers. Their manners were proud and selfish, but they were not excessive in the indulgence of their appetites—

“To rise at five, to dine at nine,
To sup at five, to bed at nine,
Makes a man live to ninety-nine,”

is a translation of an old Norman proverb.

But by the time of Henry II., according to Peter of Blois evil communications had corrupted good manners. The revival of laws against drinking beyond the pegs, especially directed against the rural clergy, again points to the prevailing vice of the people. It was so far a public danger as to attract the attention and excite the alarm of strangers. “The two only inconveniences of London,” says Fitzstephen, “are the excessive drinking of some foolish people, and the frequent fires.”

From the period of Magna Charta, we have no longer to pick our way by the dim light of obscure chronicles, but may walk freely

along the broad path of the statute book. Whatever may be the objections entertained against legislative interference with the traffic in strong drink, no charge of innovation or of novelty can be brought against it. Intemperance, and the public-house, seem to have caused more trouble to parliament than any other question, domestic or foreign. Upwards of 470 statutes which we have carefully perused, attest as well the difficulties of the case as the persevering industry of our legislators.

England in the reigns of John and Edward I., was in a state of sad disorder. The popular legends of Robin Hood exhibit no exaggerated picture of the lawlessness which prevailed; to check which, vain attempts were made by 13 Ed. I., commonly called the Statute of Winchester. "Robberies, murders, burnings, and thefts be more often used than heretofore," says that statute; and it provides that a host shall be answerable for his lodger, and that open spaces shall be left on each side of roads to protect the traveller from concealed danger.

By 51 Hen. III., the price of ale was first fixed by Act of Parliament. It was to be regulated according to the price of corn. Arising out of the assize necessary to determine the operation of this Act, grew an excellent provision. 12 Ed. II., (1319), and 6 Ric. II. (1383), entirely disqualified any trader, wholesale or retail, in wine, ale, or victuals, from holding any judicial office in any corporation, and this continued in force until the reign of Henry VIII.

Sufficient traces may be discovered in early statutes to show that the trade in strong drink had, long prior to the date of legislative records been under very stringent regulations. The king's licence is frequently mentioned, and a statute of Ed. III. provides "that the mayor and aldermen may rule and redress the defaults of fleshers, fishers, and poulters, *as they do of those that sell bread, wine, and ale.*" But whatever may have been the nature of these restrictions, taverns early became troublesome, and publicans very soon learned the tricks of their trade. Statute 4 Ed. III., c. 12 (1331), assigns as a necessity for legislation, "Because there be more taverners in the realm than there were wont to be, selling as well corrupt wines as wholesome," and prescribes, as a penalty, not only the closing of the tavern door, but the destruction of the liquor and the vessels containing it. Our readers will not fail to remark the curious coincidence of these provisions with those found effective in the modern legislation of the United States.

The literature, also, of this period abounds with allusions to prevalent intemperance. The Miller's tale, as told to the Canterbury pilgrims, is expressly assigned to a drunken vagabond, and it would be difficult to find a better temperance lecture than Chaucer has put into the mouth of the Pardoner:—

"A lecherous thing is wine, and dronkennesse
Is full of striving and of wretchednesse.

Oh dronken man, disfigured is thy face,
Sour is thy breth, foul art thou to embrace.
And through thy dronken nose semeth the soun,
As though thou saigest ay Samsoun, Samsoun,
And yet, God wot, Samsoun drank nay no wine.
Thou fallest as it were a stieked swine,
Thy tongue is lost, and all thy honest cure,
For dronkennesse is veray sepulture
Of manne's wit, and his diseretion,
In whom that drink hath domination;
He can no counsel kepe, it is no drede,
Now keepe you from the white and from the red."

The continental wars of Henry V. and the contest between the White and Red Roses were events little favourable to domestic progress. The statute-book received but few additions during this period of foreign and domestic strife. The publicans, however, still plied their mischievous trade. They seem to have acquired a habit of forcibly possessing themselves of the horses and accoutrements of travellers, for a statute of Henry VI. is expressly directed against this offence. A curious enactment of 1455,* without assigning any reason, declares that "no person brewing ale in Kent to be sold, shall during 5 years make above 100 quarters of malt to his own use."

In the habits and condition of the people there was an increase of luxury, though not of temperance. Fortescue, a legal writer of the period, says that "the common people never vouchsafed to drink water, except for penance," while even the sacred edifices of the church were defiled by drunken orgies known by the name of "glutton masses."

The revolution which terminated the rivalry of the houses of York and Lancaster, and placed Henry VII. on the throne, left the country even more disorganised than it had previously been. The power of the crown under the Tudors rendered the duties of parliament in the matter of social legislation very subordinate, and even such efforts as were made to enforce order—the stringent laws against vagabonds, for example—were abortive, from the disturbing influence of the ale-houses and taverns.

In 11 Hen. VII. a provision is found giving justices power to put away ale-selling and take sureties for good behaviour, but the mischief so rapidly increased as to necessitate the enactment of 5 & 6 Ed. VI., c. 25 (1552,) not as a fiscal measure, as is now often argued, but for the sake of social protection. The title of this statute is "For keepers of Ale-houses and Tippling-houses to be bound by Recognisances." Its preamble runs: "Forasmuch as intolerable hurts and troubles to the commonwealth of this realm doth daily grow and increase through such abuses and disorders as are had and caused in common ale-houses and other houses called tippling-houses;" and it enacts a licence system under the direct control

* 33 Hen. VI. c. 4.

of the justices. The mischief, however, was not confined to ale-houses, as was soon discovered. In the following session taverns were attacked. Stat. 7 Ed. VI., c. 5 (1554) was enacted for "the avoiding of many inconveniences, much evil rule, and common resort of misruled persons, used and frequented in many taverns, newly set up in very great numbers, in back lanes, corners, and suspicious places within the city of London and in divers other towns and villages within this realm." It provided that no wine should be sold without a licence, and further, that no licence should be granted, excepting in cities, boroughs, or market-towns. In these the number was strictly limited to two, with the exception of four considerable cities. To London were allowed 40, to York 8, to Bristol 6, and to Westminster 3. *In no case was any wine to be sold to be drunk on the premises.* What do our modern restrictionists say to this last provision? Surely if any regulation can be satisfactory, measures so stringent as these should have resulted in success. They lamentably failed. By the end of the reign of Elizabeth drunkenness and disorder had very greatly increased. The severity of the time of Henry VIII., during whose reign 72,000 executions are computed to have taken place, was almost rivalled by that of his daughter. Three or four hundred vagabonds were annually disposed of by the hangman during the latter years of Elizabeth.

The consumption of drink became enormous. Ales—double, single, and, named on account of strength, "dagger"—were the constant beverage. But the favourite popular drink was "huff-cap," called also "mad dog," "angels food," or "dragons' blood." "Never," says Harrison, "did Romulus and Remus suck their she-wolf with such eager and sharp devotion as these men hale at huff-cap, till they be as red as cocks, and little wiser than their combs." Not less than fifty-six kinds of French wines, and thirty-six descriptions of other wines, were imported to the extent of 30,000 tuns annually. Gout, emphatically called the enemy, began to make its appearance. To intensify the mischief, the Irish established the distillation of whisky in Pembrokehire, but were checked by an Act to restrain the excessive making of malt.* This wise measure, which worked satisfactorily, was repealed in 1698, as we shall presently mention, avowedly and entirely for the sake of revenue.

A knowledge of adulteration, too, was a recognised qualification for the business of a publican. Falstaff's keen palate easily detected the lime in the sack with which he sought to refresh his exhausted valour after the fight at Gad's Hill. And when, the lusty knight being compelled to discard one of his servants, Bardolph offered himself for the situation of tapster, the host's first and only reply was, "Come, let me see thee froth and lime."

Such a state of society could not exist without exciting the alarm of thoughtful men. The pamphleteer, the poet, and the politician, sought in vain to stem the tide of debauchery. "All drunkards

* 39 Eliz. c. 16.

are beasts," was the proposition maintained by George Gascoigne in his "*Delicate Diet for Daintie Mouthed Drunkards*:" the charming allegory of Spenser sought to invest purity and virtue with fresh charms; and the supposed happiness of Utopia or of Arcadia was increased and secured by the absence of the "institution" which would foment disorder and inflame the passions of the people.

The state of public morals at the close of Elizabeth's reign is shown by the eager haste displayed by the first parliament of James I. to devise some remedy. Almost the first Act of this first Parliament was "An Act to restrain the inordinate Haunting and Tippling in Inns, Ale-houses, and other Victualling Houses," 1 Jac., c. 9 (1603). The following is its preamble:—

"Whereas the ancient, true, and principal use of inns, ale-houses, and other victualling houses, was for the receipt, relief, and lodging of wayfaring people travelling from place to place, and for such supply of the wants of such people as are not able by greater quantities to make their provisions of victuals, and not meant for entertainment and harbouring of lewd and idle people to spend and consume their money and their time in lewd and drunken manner," &c.

The Act provides for the infliction of a penalty of ten shillings on any publican suffering "an inhabitant" to stay and tipple in his house; and if negligent of their duty in enforcing this Act, the constables or churchwardens are made liable to a penalty of forty shillings, which it is decreed shall be paid to the use of the poor.

These stringent provisions were abundantly needful. The court of James I. was even more depraved and scandalous than that of his grandson the "merry monarch." He "wallowed in beastly delights." Ladies of title haunted the taverns, and were frequently seen intoxicated in the vilest company while the great mass of the people abandoned themselves to the temptations which surrounded them on every side.

The laws of Ed. VI., regulating the existence of public-houses were disregarded. With characteristic indifference to an Act of Parliament, James assumed the right of granting patents, by virtue of his prerogative, and, among the rest, the monopoly of licensing ale-houses and taverns. The result of such a grant may readily be imagined. The grievance soon became intolerable. Mr. Alford, a Member of Parliament, described its operation in Bath to be, "that instead of restraining the number of inn-keepers—where there were wont to be but six, and the town desired Sir Giles Monpesson there might not be more—yet he increased them to twenty."

At length the pressure brought to bear on the king induced him to give way, and he agreed to leave the management of ale-houses, &c., in the hands of the justices of the peace, "as before." Immediately parliament took further steps to repress the evil. It passed the statutes 4 Jac. I., c. 4 (1606), "For the better repressing of ale-houses, wherof the multitude and abuses have been and are found intolerable, and still are like to increase;" and 4 Jac. I., c. 5, "An act for repressing the odious and loathsome sin of drunken-

ness." The preamble of this last Act is remarkable for the vigour of its expression. It runs as follows:—

"Whereas the odious and loathsome sin of drunkenness is of late grown into common use within this realm, being the root and foundation of many other enormous sins, as bloodshed, stabbing, murder, swearing, fornication, adultery, and such like, to the great dishonour of God and of our nation, the overthrow of many good arts and manual trades, the disabling of divers workmen, and the general impoverishment of many good subjects subversively wasting the good creatures of God," &c.

The Act is directed against the drinker; a fine of five shillings or six hours in the stocks being the penalty attached to the offence of drunkenness, and the provisions of a former Act* are extended to the party who might "stay tipping," as well as to the host. This Act was subsequently† incorporated with 1 Jac. I. c. 9, and made perpetual. That portion of the incorporated statute which affected *the seller* was afterwards repealed by an Act of Geo. II.: but, as a means of chastisement for the drinker it is still in force, and is the authority in virtue of which magisterial fines are daily inflicted on our disorderly population.

Within three years however, the House of Commons declared that, "Whereas notwithstanding all former laws and provisions already made, the inordinate and extreme vice of excessive drinking and drunkenness doth more and more abound," it was necessary to provide that one offence only against the acts we have recounted should be followed by a forfeiture of the licence for three years.

The court of Charles I. was certainly more domestic and virtuous than that of his father. Open profligacy was not chargeable to this most culpable and unfortunate of kings. But in the nation the same mischiefs we have already traced were still at work. The first parliament of Charles I. found it necessary to pass an Act‡ for "the further restraint" of the evil, including as well taverns as wine-houses, and strangers as well as inhabitants in the provisions of former statutes. Not content with this, so great appears to have been the exasperation of the parliament, that 3 Car. I. c. 3. (1627), declares the alternative penalty to be fine or *whipping* for the prime offender, and imprisonment for a considerable period for the negligent officer.

The rise of the puritan spirit was accompanied, as we might expect, with an increased sobriety. The rigid morals of the Commonwealth tolerated no such excesses as had disgraced the Cavaliers, and great efforts were made not without success, to stay the ravages of drunkenness.

But the licence of the Restoration plunged the nation once more into the whirlpool of sensual vice. A court without decency, an aristocracy without nobility, a clergy without religion, could not exist, save among a people without sobriety. The virtue and

* 1 Jac. I.

† By 21 Jac. I. c. 7.

‡ 1 Car. I. c. 4 (1625).

modesty of the few who retained their purity of life were outraged by seeing titles and honours lavished on the king's bastards; and even the queen herself was compelled to smother her womanly indignation, and to receive with smiling courtesy the harlots of her husband.

By the year of the Great Plague, the common complaint was again of facilities for intemperance. In the "orders conceived and published by the Lord Mayor and Aldermen of the City of London, concerning the infection of the Plague," (1665) it is commanded "that disorderly tippling in taverns, ale-houses, cellars, &c., be severely looked unto as the common sin of this time, and the greatest occasion of dispensing the plague." It is also very interesting to notice that the same orders compel all taverns to close at NINE, an order which is declared to be "according to the ancient law and custom of the City of London." It is much to be regretted so excellent a custom should have fallen into disuse.

It was during the reign of Charles II. that the Excise was granted to the Crown in compensation for certain feudal rights. By this time the traffic in drink had become a gigantic national institution. The value of the wine licenses alone was £24,000 per annum, at which sum they were purchased by parliament from the Duke of York, to whom they had been assigned by statute, when they were revested in the Crown.

The "Times" claims for every Englishman the constitutional liberty to "get drunk." Perhaps the "Times" may be right. At all events, gin flavoured the glory of the Revolution of 1688. The appetite for spirits which characterised the Dutch, and the exigencies of the revenue felt by the parliament, soon led to an encouragement of distillation, and a rapidly increasing consumption of its products. In 1691, Stat. 2 W. and M., c. 9, was avowedly passed to encourage the consumption of corn in distillation; and in 1698, by 9 and 10 Wm. III., c. 22, was repealed, solely for the benefit of the revenue, the Stat. 39 Eliz., to which we have before alluded. The fruits of this legislation were soon visible. The destruction of the people's bread for the sake of gain was found to be too serious a mistake to treat with neglect, and it was thought needful, in 1699,* to prohibit excessive distillation from corn, because of the high price of food. Experience is a dear school; but even in that, statesmen will not always learn. The parliaments of Anne sacrificed all considerations to the necessities of the exchequer. In 1702 (1 Anne), distillation was again encouraged, only to be suppressed in 1709, and yet again attempted in 1713.

Such legislation could not fail to debauch and demoralise the nation. The intemperance which, as a consequence increasingly prevailed, was appalling. Gin was very cheap, not exceeding in price sixpence per quart. In 1724, the police returns of London and Southwark showed 6,178 spirit-shops, or one to every seven

* 10 and 11 Wm. III. c. 4.

houses on the average of the entire city! In some districts this was far below the proportion. While food was thus made scarce and dear, brandy instead of provisions was hawked about the streets. In 1728, a feeble effort was made by 2 Geo. II., c. 17 to place a high price on licences, and to prohibit hawking. Even this slight check was too effective for the rapacity of Government. With an infatuation, the folly of which appears almost incredible, the Act was repealed by Geo. II., c. 17 (1732) precisely *because* it was to some extent useful; the preamble of the latter Act assigning as a reason, "because it has been a discouragement to distillation." The full torrent of temptation was thus turned upon the people. The result is told by Smollet in his account of the orgies which prevailed. "Here," proclaimed the signboards, "you may get drunk for a penny, dead drunk for twopence, and have clean straw for nothing." The magistrates of Middlesex petitioned the parliament in the strongest language they could employ; and at last with a sudden energy and desperation as ill-timed as its previous conduct had been infatuated, the legislature passed the famous Gin Act of 1735—Stat. 9 Geo. II., c. 23. This Act itself describes the state of things it sought to remedy:—

"The drinking of spirituous liquors, or strong waters," says the preamble, "is become very common, especially among the people of lower or inferior rank, the constant and excessive use whereof tends greatly to the destruction of their healths—rendering them unfit for useful labour and business—debauching their morals, and inciting them to perpetrate all manner of vices, and the ill consequences of the excessive use of such liquors are not confined to the present generation, but extend to future ages, and to the devastation and ruin of this kingdom."

The Act therefore provides, that every licence for sale in quantities of less than two gallons shall cost £50; that the retailer shall pay a duty of twenty shillings per gallon on his stock; that no wages shall be paid in drink, and no hawking of spirits be allowed.

The excitement produced by this Act was intense. We cannot enter upon an examination of the intrigues which sought to make political capital out of it, of the difficulties which it met with, or of the causes which led to its failure. It must suffice here to say that its failure was complete. The people proclaimed the Act as the funeral of Old Mother Gin, but, "like a phoenix, she rose from her ashes." The consumption of spirits rapidly increased, and the law was openly violated notwithstanding numerous convictions.

No other result could be expected. To attempt by a sudden and unpopular measure to control an appetite which had been inflamed by every means which could be devised, was to expose law to ridicule and defiance. The mere increase of a licence fee could do little, while the great agent of temptation, the drink, was still there to incite the appetite to trample on all restraints.

This Act was repealed, in 1743, by 16 Geo. II., c. 8. The repeal was, however, in practical effect, a measure of greater restriction.

The licence fee was reduced to twenty shillings, and greater certainty of inspection and control thus obtained; but the number to be granted was still further limited, by providing that only those should be entitled who had previously obtained licences for the sale of ale and beer. The alteration in the law did not, unhappily, amend the mischief. The consumption of spirits still continued to increase. In 1744, the Excise returns show a consumption of 10,581,000 gallons, which, in 1750, had increased to 11,200,000. The correctness of this statement is further borne out by the passing of Acts of increased stringency in 1747, by the petitions which were still poured into the House of Commons, ascribing the most grievous social dangers to the augmenting number of gin-shops, and by the enactment, in 1751, of the well-known "Tippling Act," 24 Geo. II., c 40.

This statute, assigning the increase of licences as the cause of the still-growing intemperance, further limits their number, and, in addition, enacts that no debt shall be recoverable at law contracted for the supply of liquor in quantities less than twenty shillings' worth at one time. Under this ban of civil disability, the retailer of spirits, and he alone of all traders, still remains. Coincident with, though hardly consequent upon, the adoption of this measure, the Excise returns fell to 7,022,009 gallons, and the "great gin epidemic" may be said to have passed its crisis.

In the course of a few years subsequent to the date of which we have just been treating, we find a class of circumstances entirely novel. The high price of corn which prevailed at intervals throughout the reigns of Geo. II. and Geo. III. rendered active measures necessary to prevent waste and consequent famine. We have accordingly periods of various length, sometimes stretching over several years, when, for this reason, distillation was entirely prohibited.

We have only space to indicate the results by three quotations. Smollett testifies:—

"That the common people had become apparently more sober, decent, healthy, and industrious, while the good and salutary effects of the prohibition were visible in every part of the kingdom."

Mr. Colclough in his "Police of London," says:—

"The poor were apparently more comfortable, paid their rents more regularly, and were better fed than at any period for some years before. There was more orderly conduct, quarrels and assaults were less frequent, and they resorted seldom to the pawnbroker's shop."

During this time, our readers must remember, bread was at the starvation price of fifteen-pence per quarter loaf. And finally, the House of Commons declared in the preamble to 33 Geo. II., c 8, that

"The high price of spirituous liquors hath been a principal cause of the diminution of the home consumption thereof, and hath thereby greatly contributed to the health, sobriety, and industry of the common people. And it is therefore of the utmost importance to the public welfare that some timely provision should be made for preventing the return of all those mischiefs which must unavoidably ensue in case such spirituous liquors be again suffered to be sold at as low a rate as formerly."

We must now scramble hastily over the mountains of legislation which lie on the surface of the statute-book. During the reign of George III. repeated intensifications and alterations of the law were attempted, generally assigning as a justification the inadequacy of the penalties. At last the parliament appeared to become aware that all its tinkering had produced an unshapely and useless article, and it solemnly announced its entire dissatisfaction with the work. The 3 Geo. IV., c. 77 (1822), commences with the significant words: "Whereas, all the several statutes now in force for regulating, &c., are found to be defective and inefficient." An Act was accordingly passed to consolidate all the statutes relating to this subject into one, but without any favourable result. After some time a notion sprung up that it was possible by a supply of what was considered a wholesome beverage—beer—to draw away the people from the consumption of ardent spirits; and the Beer Bill, 11 Geo. IV. & 1 Wm. IV., was passed, in order to "permit the general sale of beer." On the result attendant on this experiment we need not enlarge. Three times amended, the Act is now universally condemned. To quote the Report of a Committee of the House of Lords, "The consumption of ardent spirits has far from diminished, and the comforts and morals of the poor have been seriously impaired." Ale-houses have been found to be as troublesome in the nineteenth century as they were in the times of Edward VI.

Such is our present position. With the undecided and timid legislation of the last few years our readers will be familiar. Suggestions and expedients without number have been laid before parliament. One influential party recommends an increase of facilities to the wine trade, hoping that light wine may effect a reform which beer has failed to accomplish. Others seek, by high price for licences, to limit the number of houses, without falling into the errors of the same scheme in 1735. Some, ignoring the experience of the Beer Bill, and hostile to monopolies, seek to throw open the trade to the enterprise and capital of all, without material restriction. Everybody admits that something must be done; nobody appears disposed courageously to face the difficulties of the question. How long the legislature will put new patches on an old garment, and so make the rent worse, it is impossible to predict.

What, then, are the lessons we should learn from this bitter experience of centuries? Are we to be disheartened and to despair of ever achieving our emancipation from the terrible thralldom of the public-house? It is true the evil cannot be tampered with, and breaks through all restraints. Must this always be so? Punishment and disgrace, fine and whipping, have alike proved inoperative to deter the drunkard; every expedient of restriction and regulation which it seems possible to devise has failed to purge the public-house of its fatal infection. Must we abandon all legislation, or can we hope for any thorough and radical remedy? If so, where, and how? The answer is ready and easy. We must "abandon" all our preconceptions of legislation, and commence anew.

Intemperance, or rather drunkenness—the particular evil against which we are to direct our efforts—is not like dishonesty, a natural vice. It is as much a physical disease as a moral weakness. It is produced by a physical agent. The appetite for strong drink is not innate, it is acquired. No child, unless born of drunken parents, enters into life with a desire for strong drink. The first draught, taken in conformity to custom asserts its power in the creation of a desire for the second, for its own sake. Drink satisfies no natural appetite—it creates an unnatural craving. A man who resorts to the pump to quench his thirst is not thereby impelled to revisit the pump at the earliest opportunity; but it is the peculiar characteristic of the public-house to exercise this fascination. The use of the drink, then, is the exciting cause of the appetite for drink. The cause of the mischief is objective—external to the man; not subjective—within the man. Drunkenness is not a part of our natural sensuality or depravity, but a physical and moral state superinduced on these by the use of a physical agent. Let the appetite be created and excited by the presence of the objective temptation, and no refinement of education, or charms of wealth or power of religious training, presents a barrier strong enough to resist its ungovernable fury. We do not say that this is, in *every* case, the result of a use of strong drink, but it is its universal *tendency*. Absolute safety for the individual can be found, therefore, only in absolute abstinence from that which does, in an awful number of instances, produce the drink appetite, and *may* do so in any one. Sound legislation with regard to intemperance must be based on a recognition of this truth. The peculiarity of the article sold infects the trade in it. The mischief which confessedly attends the public-house is not merely accidental, but essential and universal.

The laws we have been considering were inoperative because they regulated only the circumstances under which the trade was to be carried on; the mischief did not lie in these, but in the trade itself; in the very article traded in. We have entirely failed in our purpose if our readers have been unable to trace something of this. The tempting drink, however its sale may be restricted, always generates an appetite which sets restriction at defiance. The high price of licences and the stringent regulations of 1735 failed when the liquor was there to inflame and madden;—the prohibitions of 1760 resulted in blessings when the exciting drink was absent. Just, we conceive, as individual safety will be found in abstinence alone, national safety must be sought in “entire prohibition.”

We know this is a startling proposition. We are prepared for a host of indignant objections, but we are not dismayed. We are willing to admit there may be uses for alcohol in medicine and the arts, but we boldly venture to suggest that one sound, just, and effective measure, prohibiting, for purposes of beverage, its manufacture and sale, should displace all the ineffective expedients we have been discussing.

We believe such a law, based on an enlightened public sentiment,

would be sound in principle and just in operation. The individual right of the citizen is strictly limited by the requirements of society. The security of the individual is dependent on the ability of the state to assert its authority. The primary guarantees of life, liberty, and property cannot be conferred unconditionally. Society must reserve the power of depriving any citizen of any or all of these rights if his exercise of them tend to render their enjoyment by others uncertain and insecure. The guarantees of society must obviously be qualified by the necessity for their own preservation. No social act can be tolerated [the constant tendency of which is to subvert them. What is a trade in alcohol? It is a trade in an article which always has been, and always must be, dangerous; not, as with other dangerous articles, according to situation or circumstances, but peculiarly and essentially. The *specific* action of alcohol is, physically, on the brain, to disorganise its structure; morally, therefore, to dethrone reason, and substitute appetite as the governing power. Alcohol is confessedly, and for this reason, our great crime-producer. On the first principles of self-preservation, then, we submit, the state should declare illegal any trade in any such article.

We admit that such a measure would be possible, not to say useful, only in proportion to its popularity. More obviously than other laws this would need to be based on a prevalent public opinion. But the public opinion would not be sufficient without the law. There will always be avarice, and indifference, and cruelty, and selfishness to set public opinion at naught. Public opinion must be empowered to enforce itself against them. Unless sustained by public opinion, law would be useless; unless armed with law, public opinion would be powerless. A practical solution of the difficulties of the question will be found in "Suggestions for a Permissive Bill," which, if embodied in an Act of the legislature, would enable a largely preponderating majority of the inhabitants of a district by vote to suppress the trade in strong drink within their limits. We recommend this new recognition of the rights of self-government to the consideration of our readers. Social reformers have long been content to dam up the streams of vice and corruption which flow on all sides, and have all neglected to drain the stagnant pool from which they are supplied. They have exercised thought and efforts on means of cure for social diseases, and have done little to prevent them. "Prevention is the best bridle," says Owen Feltham. "It is in a man to avoid the occasion, but not the inconvenience when he hath admitted it. Let a giant knock, *while the door is shut* he may with ease be still kept out; but if it once open that he gets in but a limb of himself, then there is no course left to keep out the entire bulk."

THE POLITICS OF TEMPERANCE.

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THE

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ECONOMICS OF TEMPERANCE.

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ECONOMICS OF TEMPERANCE.

THERE can be no Economy without Temperance.. Temperance is that "self control" which is "wisdom's root:" Economy originally meant the control of a household. Each word now bears a more limited meaning: Economy denoting the regulation of expense—a wise frugality: Temperance,—the control of our bodily appetites; and, since the appetite for drink has acquired in this country a terrible pre-eminence, we mean by it the moderate use of wholesome beverages, the avoidance of all that are injurious: if any are *intoxicating* (i. e. poisonous,) they must be to that degree injurious.

No one disputes that when Temperance is supreme in a family, good order and economy are promoted: now "Political Economy is to the State, what domestic economy is to the family." Some who allow that the limited use of intoxicating beverages is consistent with Temperance, agree that the only cure for the inebriate lies in Abstinence. If we apply this rule to the State, it must be confessed that our nation is an intemperate one, and requires this remedy. The terrible crimes which arise from this national sin cannot be denied. There are intemperate persons, however, who, whilst they allow some of the evils, say that their livelihood depends upon the drinking usages, which they will not forego. If any affirm the same for the nation, we shall meet their objection in this paper. In the highest and truest sense of the word, we cannot concede the possibility of any one making a living by sin, the wages of which is death. We are prepared to prove, however, that Temperance will increase the national wealth; and that the only sacrifice it requires is that of appetite. We desire to meet fairly what may be urged on the other side.

Manufactures are usually regarded as a source of our prosperity: among the chief, are those of Cotton and of Intoxicating Liquors. The value of Cotton manufactured in 1856, was computed at £61,484,000*; but that of Alcoholic Drinks exceeds it.† If anything should endanger our Cotton manufacture, it would be a terrible national disaster: would the suppression of the Drink manufacture be attended with similar misery? If both products were equally useful, the Drink manufacture has some apparent advantages. The raw Cotton cost (in 1856) £23,958,000: except

* Only £23,200,000 worth was kept for home use. Cotton: its Cultivation, Manufacture, and Uses, by H. Ashworth, 1853.

† Mr. Porter's Table read before the British Association, in 1850, makes a total of £69,990,430: from this we must deduct "Wines, £5,000,000," as manufactured abroad: on the other hand, 434,981 barrels of Beer, valued at £1,592,130, were exported. The 4,731,976 gallons of Foreign Spirits imported for Home Consumption are balanced by the 4,821,277 British Spirits exported. *Companion to the Almanac for 1859.*

the per-centage to our merchants, this enormous sum enriches foreign cultivators ; whilst our own farmers, it is said, receive the price of the grain used by the brewers and distillers. Whilst no impost can be safely levied on Cotton, about a quarter of our revenue is derived from the Excise on home-made intoxicants, beside the Customs on those that are imported. We shall examine these pleas.

Some families who are engaged in the sale of Drink are enriched by it : may not the nation be ? But the nation is not in the position of a liquor-seller, but is a purchaser. It not only has to pay about as much for the spirits it imports as for those it exports, but it has to pay more for its wine than it gets for its beer (*vide* last note). Our Cotton Manufacturers, on the contrary, exported goods in 1857 to the value of £39,112,909.

How far is the country benefited by employing home-grown produce for malting, &c. ? It is not easy to ascertain exactly how much is used. Estimates vary from six-and-a-half to nine million quarters. The total quantity of malt made in the year ending October 1st, 1857, in the United Kingdom, was 5,711,270 quarters, of which 697,134 quarters were free of duty for distillery purposes : * including the raw grain employed in making the 32,231,455 gallons of proof spirit distilled in that year, the whole amount may be about 7,000,000 quarters. Now we had to import a still larger quantity to supply the deficiency of our food market, viz. 3,475,234 quarters of wheat, and 2,212,168 cwts. of wheat meal and flour ; 3,452,536 quarters of barley and oats ; 1,158,752 quarters of Indian corn ; beside 469,244 quarters of peas and beans ; in all, upwards of nine million quarters. In 1856, the importation was still larger. So far then were the Drink-makers from enriching the country by purchasing what was not wanted at home, that we had to send abroad about £14,000,000 in money, or money's worth, to supply the deficiency they caused. Allowing that these were years of comparative scarcity : even in the most plentiful years we imported ; whilst, if our home consumption were the same, we might have largely exported and received the wealth of foreign lands in exchange, had it not been for this perversion ; whilst those years in which trade suffered from bad harvests would have been changed into years of prosperity. The country then would have been an immense gainer ; but would not the farmers have been losers to the same degree, by the abstraction of such large customers as the brewers and distillers ? No ! because the corn market on the Continent will keep prices up to a certain rate : and there are home customers who will take the place of the Drink-makers. There are thousands whom alcohol robs of their healthy appetite ; myriads whom it deprives of the supply for which they hunger ;

* Nine Quarters of Malt represent eight of Grain. An excise was paid of £1,343 on Sugar used by Brewers, and 5,224 cwts. of Molasses were delivered duty free for use in distilleries.

millions whom it stints of the luxuries of meat and butter. The farmers will profit by adapting the cultivation of the land to the wants thus developed. We do not believe that it yields too much for its inhabitants. Supposing prices to fall, the families of the farmers and the "1,460,006 agricultural labourers, farm servants, and shepherds" would obtain food more cheaply, and would benefit by the cheapness of manufactured articles which would be the result. They would save still more if they no longer wasted their money, time, and health through intoxicants. The beer-house and tavern are among the chief causes of "agricultural distress."

The prophecies of Protectionists have not been realized: farmers have benefited, as the Free-Traders foretold, by the increased wealth and energy of the country. Now if, instead of importing corn from abroad, we rescued it from the maltster, we should combine the advantages urged by the Free-Trader and the Protectionist:—we should have an immense supply of food, sufficient to fill the land with plenty; whilst we should be comparatively secure from the accidents and reverses that may seriously check importation. Some Free-Traders professed, that, when our ports were thrown open, any waste of our land would scarcely matter, since it only increased our commerce. A profitable doctrine for carriers and merchants, were it true. If the Londoners had a caprice for destroying their clothes, it might excite some activity in Lancashire and Yorkshire, and the freight returns of the railways would show an increase; but it would not be easy to prove that the Londoners were none the poorer. If a glazier amused himself by making a bonfire with half his candles, and giving a handsome allowance of fruit and spices to the pigs, on the plea that the grocer was his customer, and the grocer broke windows in return, they would not gain much credit for economy, however much they might increase each other's business. We are as foolish as the glazier: perhaps our American cousins are too sharp to imitate the grocer. It is one thing to cease from cultivating unprofitable land, when a supply can be obtained more cheaply abroad: quite another thing, when we have raised our supply at home to throw it into the fire, or malt-kiln, because there is plenty of corn in Ohio. If the carriage of the corn imported in 1857 averaged 6s. a quarter,* £2,100,000 of it were that year thrown away. No doubt much of it went to our own countrymen; but we paid it them for wasting time that might have been otherwise employed. If time is money, it seems much the same whether we throw our *money* into the sea, or give it them to spend their *time* on the sea. If we send a man ten miles to fetch what we might have had in our own cupboards, he goes on a fool's errand,—or on an errand for a fool.

Though there should be no bar to commerce, it is an advantage

* Free-Traders used to remind the farmers that the cost of importation, which they variously reckoned at 10s. or 15s. a quarter, would remain as a virtual protection.

to have our supply at hand : land fetches a better price in proximity to a large population. Our chief manufactures have gone to the coal districts. But we must not reckon on unrestricted commerce. We were called on to thank God for an abundant harvest in October, 1854 ; yet that very winter there were food riots. Whilst, from 1849 to 1853, the average price of wheat had been only 41s. 3d. a quarter, it had risen in September, 1853, to 73s. 3d. ; in 1854 it was 56s. 7d. ; it rose in 1855 to 75s. 10d. War may hinder trade. We must not take for granted, if we choose to waste what Providence has given us, that other lands will only be too happy to serve us. There may be no superfluity where we apply. If the price we offer procures what we want, we may be bribing that country to suffer the miseries of a bad harvest through our fault : food for its multitudes becomes scarce : a few are enriched, but the gains are not distributed.

Let us look again at the quantity wasted. A third part of each year's harvest has been destroyed ! Fourteen millions of quarters of grain for food :* seven millions for intoxicating drink ! † Mr. Caird could not succeed in his motion for the statistics of agriculture in England ; but we found that, in Scotland, in 1857, there were 1,381,760 acres employed in the cultivation of wheat, barley, oats, and bere, yielding 5,767,743 quarters. The whole yield of grain in Scotland, therefore, falls far short of this annual waste. William the Conqueror was thought a dreadful tyrant when he devastated counties to form hunting grounds. He was said to love the deer like their own father : it seemed retributive justice when his son was shot instead of a deer. But his desolations were insignificant compared with those of this tyrant appetite.

The Prairie farmer, who lives far from a market, is not required to gather up his fragments—he may value time more than food. But where what is wasted might supply another's urgent need, waste is criminal. In the old world, at least, there is not a country where there are not thousands who are starving through those who are wasting. Notwithstanding our open ports, it is felt that those who occupy the land should hold it as a trust for the public benefit. As Lord Stanley said, in 1855, ‡ “ Personal feelings must give way to national necessities ; and he did not hesitate to say that, whether consciously or unconsciously, any man was a wrong-doer, as regarded the community, who retained

* This is the average of the wheat harvest for eleven years, varying from 18,650,314 in 1844-5, to 9,523,000 in 1853-4, as given by Mr. T. Beggs in his “ Dear Bread and Wasted Grain,” 1856. There are extremely wide differences in computations.

† We have not reckoned the waste of 50,957 acres used in hop-growing, nor the unascertained extent of orchards. Cider impoverishes more than it enriches. Good fruit, in a sober country, would find a good market. Farmers would gain, if the trees which bore sour or insipid fruit no longer cumbered the ground.

‡ Dr. Lees' Prize Essay, Third Edition, p. 140.

the ownership of land which he had not the power to improve, but which he had the power to sell. The community had a right to say, Either use your property profitably yourself, or let others use it for you." Now if a man is culpable who will not part with his land to those who can make it yield more, what shall be said of those who destroy what it does yield? There are times when waste seems peculiarly heartless and wicked. When death prostrates those who are deprived of the staff of life, the verdict at the most solemn of all inquests may be—homicide—not justifiable. Even the organ of the publicans, the *Morning Advertiser*, could ask (Oct. 30th, 1846) "Whether it will not be a criminal and suicidal act to sacrifice nearly eight million quarters of nutritious food in the production of innutritious drinks, when famine already stalks in Ireland, and her approach is hourly dreaded in this island? From parliamentary returns, the average annual consumption in brewing appears to be upwards of 3,665,000 quarters, exclusive of a very large quantity used in private brewing; and in distilling, the annual average is upwards of 3,872,000 quarters, in the whole, more than 7,537,000 quarters;—but the quantity estimated to be *required for malting* for the ensuing year exceeds eight million quarters."

"In a time of famine, it behoves us to apply solely to the purposes of food whatever is capable of furnishing nutrition. Dr. Lyon Playfair says, in one of his lectures—'I find that 100lbs of oatmeal contain 11½lbs of the flesh-forming principle, and 78½lbs fuel to support the heat of the body. Hence it is that oatmeal porridge is so well calculated for young people, who require an abundant supply of albumen to furnish materials for their growing frames. A good specimen of barley-meal, with its husks mixed, I found to contain *as much as 14lbs of albumen, or flesh-forming principle, in every 100lbs*, while the substances adapted to support the body amounted to 68lbs in the 100. Barley-meal is, therefore, more nutritious than the same weight of oatmeal.*

"With respect to the quality of beer from sugar, all who have tried it declare that it possesses the same qualities as the beer from malt. By some it may be supposed that the working man will lose a nutritive beverage; but this is a misrepresentation of the subject. *After fermentation, no albumen or flesh-forming principle remains in the liquor, which has now become vinous.* There may be some difference in the flavor, to which use would reconcile the palate; but *a matter of taste cannot be allowed to compete against so important an object as preserving the food of the multitude.* As for spirits, those produced from sugar are well known; and no question can be raised in regard to comparative properties of nutrition, since all kinds are equally deficient."†

* Barley, at the suggestion of the friends of temperance, came much more into use during that famine winter. A grocer in a country town informed us that he sold 10 cwt. a week, when he scarcely sold as many pounds before.

† Quoted in Dr. Lees' Essay, p. 143.

. It is certainly less horrible to waste sugar than grain ; but, to say nothing of the drain from the country of money spent on an unnecessary import, sugar would have risen in price, so that the poor would have found a difficulty in procuring it ; and, as the supply does not exceed the usual demand, the waste by brewing and distillation would have given a fresh impulse to tyranny and cruelty in those sugar-growing districts which are cursed by slavery.

If economy requires in a household that no waste shall be allowed in time of famine, political economy called on our rulers to prohibit the destruction of grain. The publicans could not have complained at being prevented from doing what their own organ pronounced criminal and suicidal. But the nation preferred appetite to life. The corn laws had done far less injury ; but in their case an active and influential part of the community saw that they were robbed to benefit a class. All classes, however, were implicated in this source of ruin : those who were the chief sufferers had been among the chief offenders ; and, in spite of the remonstrances of the friends of temperance, the government let the people kill themselves or their neighbours.

Whilst 8,000,000 quarters of grain, enough to supply 8,000,000 persons with more than a pound of bread a day for a year, were being wasted, millions were feeling the pressure of want, hundreds of thousands were dying from famine and its attendant plagues. *Waste* is too gentle a word for a perversion which is the great source of *crime*. "The rioter scatters the corn,—it is trampled into mud, or the fowls of the air devour it: the incendiary kindles the rick, and it turns into gas, smoke, and ashes. But when the body of this corn perishes, it is turned into a maddening spirit—the mere destruction of food becomes a matter of quite secondary importance compared with the creation of sin and death."*

Our agricultural population is not enriched, but impoverished, by intoxicants ; but may there not be some compensation in the stimulus given to manufacturers ? We spend much less on cotton or woollen fabrics than on strong drink, yet these have called forth immense energy, industry, and skill, and may be said to have created towns and cities. One peculiarity, however, of beer and spirits is, that they employ so *few* workmen ; they produce far more effect on the human frame—that fearful and wondrous mechanism—than the most elaborate works of toil and skill ; yet they are made with little of either. No wonder : destruction is easy work ! In considering the amount of labour bestowed upon them, of course we do not reckon that of the farmers, since they would have as much to do if their produce were better employed ; but follow the sack of grain, from the time it leaves the farm, till it lies in the barrel of the publican, and compare the

* "Much food is in the tillage of the poor ; but there is that is destroyed for want of judgment."—Prov. xiii. 23. A fast-day sermon by R. L. Carpenter, B.A., 1847.

strength and skill it has received with that bestowed on the bag of wool or cotton, or the hides, or the ore, before the products rest on the shelves of the shopkeeper. Occupation is occasionally given to builders; but what are breweries and distilleries compared with our cotton mills? Enter them, and where is the complicated machinery which testifies to the highest exercise of thoughtful industry which has vastly increased employment, and has given to England her pre-eminence? The wheel and distaff could not compete with the spinning-jenny; yet beer brewed at home in the most primitive mode rivals the product of the brewery. The same may be said of bread-making; but it employs an immense number of hands:—the operatives in the drink business are comparatively few. It has been computed that the workman who spends £1 with the publican, has given less than 1s. in employment to artisans; whilst he would have contributed from 6s. to 15s. to their support if he had spent his £1 with the tailor, or shoemaker, or cabinetmaker, or watchmaker.* No doubt as intoxicants do harm, the fewer employed in making them the better; but, were they useful, we should think it a decided evil that the wealth expended on them was so ill distributed: that, whilst £60,000,000 spent on other manufactured articles would maintain about 400,000 artisans, at £1 a week, this would give regular employment† to only about 60,000; this leaves 340,000 to depress wages in the labour market, or to be altogether out of employment. On January the 1st, 1858, there were, in England and Wales alone, 902,032 paupers, of whom 165,770 were able-bodied!

It may be urged that we do not want too large a proportion of operatives: that a large middle class is useful, even if we are not willing to be a mere “nation of shopkeepers.” Now in England and Wales there were 63,065 licensed victuallers, and 32,554 beer-sellers. Some have other occupations: they keep inns for travellers, (which would be more economical and quiet if drink were not sold there,) or the husband goes to work elsewhere: 37,460 occasionally brew, which is worse than unproductive labour, since they make that which will intoxicate their customers: of the majority it may be said, that they not only try to make others lazy, but are so themselves. Workers are the source and maintenance of national wealth. Our greatest statesmen and men of highest genius claim to be our most valuable labourers. Even those who have no ostensible occupation, may derive their income from capital which is employed in works of high utility, and which they had acquired by great effort and patient economy. No one will pretend that a country is enriched by supporting persons

* See the *Teetotaler's Companion*, by Peter Burne, p. 294. He estimates the amount of labour employed in the manufacture of strong drink at 6d. in the £.

† Besides the distillers, there were, in Great Britain and Ireland, in 1857 (*Companion*, p. 179), 2,418 public brewers: 37,460 victuallers and beer-sellers also brewed; but, as they consumed only one-fifth of the malt used, it is not to be supposed that they brewed more than occasionally.

who do nothing useful for a livelihood. England is not the wealthier for its criminals, though they give employment to a number of policemen, attorneys, jailors, locksmiths, &c. &c.: nor for its 900,000 paupers, though no doubt the money circulates which is expended in their support;—but the food and clothing purchased with that money is not reproductive, as long as those whom it sustains are mere cumberers of the ground. Neither is it wealthier for maintaining those who make three-quarters of our paupers and criminals. No doubt capital is invested in this business, much of which might not be realized if the business were stopped. Capitalists, as well as artisans, are continually liable to find themselves losers for a time, by the change in public taste, or the progress of improvement. Those cannot have much to say of vested rights whose business has been only licensed from year to year, and who have shown so little regard for the vested rights of women and children, to be maintained by those wages which have been squandered in drink. Many feel that their trade is good neither for themselves nor their families,—they only sell drink because people are most willing to buy it. Prohibit the sale, and an instant demand will arise for other articles in which they may deal instead; they will have a better chance of life, and of all that makes life happy: and their children, for whom they must find employment, will benefit through that which relieves the community of its depression.

Our manufacturers often suffer from excess of production: they enlist the aid of the merchant to provide them new markets. We rejoice in commerce:—not in that which is mere waste energy: nor in that which is worse than waste, when it rivets the chains of the slave, or pollutes or poisons a community for unrighteous gain:—but in the commerce which binds the nations of the earth together in amity as they partake of each others abundance. Yet when we peruse the list of exports of our home produce, to the value, in 1857, of £122,155,237, we cannot help thinking how much of these cottons, woollens, &c., are needed for our ill-clothed poor. Exports are no sure proof of prosperity. Ireland used to export the food to this country which its starving people were too miserably poor to purchase. Our manufacturers would rejoice, indeed, at an improved home market. Trade like charity begins at home. Customers at a distance, as our experience in the United States has shown, may prove bankrupts unawares. Wars, and rumours of wars, cause sad fluctuation in the foreign demand. If £20,000,000 of the money, now spent in drink, were laid out with the farmer, £40,000,000 would remain for the artisan and manufacturer. It is reasonable to suppose that the increased demand would increase the value of labour: the capital in the country would also increase. Part of it would be vested in commercial enterprises and public works, and part in the improved dwellings and household goods of the mechanic. If workmen

were more independent, would not the mill-owners suffer? We believe that well paid labour is quite consistent with cheapness. We take our cotton fabrics to India, which was the original seat of the manufacture, where the material is grown, and where wages are at their minimum. Our country is enriched by that sagacious economy which makes the best of everything, that intelligence which is constantly devising improvements, and that energy which avails itself of them—not by ill-requited labour. Employers would be better served, if temperance were the law. The supply of labour would increase, as well as the demand for goods. It was once thought that men would work hardest and best for drink, and with drink; but experience has proved that there is no kind of labour which an abstainer cannot do, for a continuance, better than a drinker. There are some sots who, through the idle habits and diseased condition to which drink has reduced them, will only work with this bribe; but when required to abstain, other objects of desire would stimulate them. Most manufactures and trades are useful to each other; the publican is injurious to them all. Those whom his drink has enslaved seem unable to work like freemen. Their employers can place no dependance on their word—no reliance on their punctuality. No man can serve two masters. Some of the most skilful artisans will not work longer than is necessary to provide for the intemperance to which they devote the remainder of their time. Their powers become impaired. Drink which offered to nerve the hand, and brighten the eye, proved to be a mocker, as soon as it became a tyrant.

Not only is work ill done or spoiled; but the regularity of trade is destroyed by those bankruptcies which are occasioned by intemperance. These are common among drink-sellers; but who can compute the ruin of their customers? The tradesman and merchant neglects or mismanages his business through excess: his fall involves those connected with him. Those whose duties call them among the poor are depressed by the misery of the homes in which intemperance has caused a perpetual insolvency; of course the shops where they deal will fall with them, unless they can make their honest customers pay for the drunken defaulters.

Intemperance impoverishes the people; but would not temperance diminish our national revenue? The working classes, who might resist direct taxation, contribute largely to the heaviest impost of all. "The sum yielded by the duties on hops, malt, spirits, tobacco, snuff, and wine, was £24,072,895, very nearly twice as much as the whole produce of the Property and Income Tax, and thirteen times that of the Land Tax."* We have not spoken in this paper of the narcotic—tobacco, as its suppression is not an object of the Alliance. It is doubtless an intoxicating poison, and its common use wastes much money, time, and health;

* Indirect Taxation." Transactions of the National Association for the Promotion of Social Science, for 1858, p. 675.

but its manufacture does not involve the wholesale destruction of the food of millions, nor does it lead, like alcohol, to crimes of violence; for our present purpose we omit therefore the £5,272,471 yielded by tobacco and snuff. There remain about £19,000,000 to be subtracted from our national liquor bill, since they are returned in the form of taxes. This however is not clear gain. We find the salaries, &c., of revenue departments to be £4,742,867: the total number of custom-house officers in 1856, including the coast guard, was 11,292: constituting, with 5449 excisemen, a force of 16,741 men: * of these expenses, the taxes on drink must take their share. Moreover these taxes must not be regarded as secure. There is a strong agitation against all indirect taxation, from the many evils attending it. The malt duty, e.g., is said to encourage perjury to obtain a drawback as for exportation. Excise and custom-house officers, "as a body, are not distinguished for sobriety, morality, or provident habits. They are exposed to the greatest possible temptations, and are constantly falling under them.†"

Those who are gratified at the amount of income resulting from these taxes seem quite to forget what our taxes are raised for. They are to support government, i.e. security and good order. It would be absurd to cherish the cause of riot and crimes, because it yielded a percentage to pay persons to repress them! No doubt such an absurdity is not unexampled. We remember a churchyard let, year after year, for a fair, notorious for its immoralities—to improve the income of a pious preacher; houses of ill fame paid their rents to Westminster Abbey. In each case, public opinion enlightened the managers as to their suicidal error. Church revenues were increased in some instances by letting vaults as liquor-cellars; but this was properly prohibited by the late Archbishop of Canterbury. Property has been let for this traffic to support other religious institutions; but it was found worse than foolish to countenance wickedness, that a fee might arise for the good. As well might a father enrich himself by the vices of his daughter, as a paternal government derive an income from the demoralization of the people. This principle has been respected in matters of less moment. Games of chance are not in themselves sinful, any more than a glass of beer or wine. Most of our legislators probably indulge in them occasionally; and even at bazaars for religious objects raffles are not entirely unknown. Public lotteries are a means used abroad to increase revenue: so they were formerly in England; but it appeared that they could not increase the wealth of the country, and they fostered a lazy and gambling spirit. Mr. Canning desired to retain them on the ground of income; but Mr. Wilberforce and others showed that the revenue must be eventually lessened by that which promoted profligacy and indolence, which produced paupers and made rogues—and lotteries were declared illegal.‡

* "Indirect Taxation," p. 679. † "Indirect Taxation," pp. 679 and 680.

‡ Lees' Essay, pp. 121, and Supplement, pp. 26, 27.

We have no doubt that the State would be a pecuniary *gainer*, to part with this £19,000,000 by suppressing the traffic. A *gainer* in two ways,—by what it would *save* and what it would *get*. Our national expenditure may be roughly divided into three parts :—the interest of our national debt—our naval and military establishment—and the expenses of Government. We are convinced that the debt would not have reached its present magnitude had we been a sober nation. If the passions of our people, and of many of our legislators, had not been excited by drinking customs, we should have been spared many costly wars. Sober men are peaceful,—warm-hearted, and cool-headed. Even if all these wars had taken place, they would have been conducted with less waste. The money raised would have been obtained on far more favorable terms if our national resources had not been drained by intemperance.

Wisdom, which is the essence of temperance, might keep us from rushing hastily into wars in future; but supposing that it is necessary to keep up our present army and navy, which in 1857 (exclusive of the Chinese and Persian expenditure) cost about £24,000,000, yet a Parliamentary Committee reminds us of—“The comparative inefficiency of the Army and Navy, in each of which intemperance is a cankerworm that eats away its strength and its discipline to the very core: it being proved that one-sixth of the effective strength of the Navy, and a much greater proportion of the Army, is as much destroyed by that most powerful ally of death, intoxicating drinks, as if the men were slain in battle,”* &c., &c. Our Crimean experience mournfully confirms this statement. If we also reckon the reduction in the Commisariat, from increased plenty and cheapness, we may say, that, under a prohibitory law, we might have a far more efficient and reliable force than at present, with a saving of £5,000,000 a year.

Foreign enemies, however, are not so formidable or injurious to us as domestic ones. There is an army of rebels which is never disbanded, with whom we have not even a day's truce, to defend ourselves from whom we employed in England and Wales alone, in 1857, a force of 19,187 police, who apprehended 401,264 persons, of whom 141,970 were committed to prison. The daily average of prisoners was about 19,636. We say nothing here of the crime and wretchedness of which these figures speak: we are looking at the pecuniary burden, of which the maintenance of prisoners is the least part. It is much cheaper to keep them in our costly gaols than to let them prey on the community. We have no register of the amount of their depredations, nor do the sufferers always mention it—it cannot be computed. Reckoning, not only the direct loss, but the indirect losses from the waste and insecurity of property, we should think we had made an excellent bargain if the nation could free itself of three-quarters of its crime for £20,000,000;

* Lees, p. 35.

this proportion of crime, at least, is attributed to drink by our judges. We have also to pay for the pauperism, similarly caused. Our county rates and poor rates do not, it is true, come out of our national taxes, but they come out of the pockets of the tax-payers.

We may also reasonably hope that those who have promoted domestic economy, by the disuse of a wasteful item, may enforce greater economy in many departments of government.

Even if, for any purpose, we should need our present revenue notwithstanding these retrenchments, we should have far ampler means of raising it when this foe to good government was banished. If the pressure of taxation is measured by the wealth on which it is levied, it follows of course that it will be lightened when wealth is increased. A government, which represents the people, must have more resources at command, when the resources of the people are enlarged: it acts most thriftlessly, when it suffers an immense national loss with a view to a partial gain. As well be tempted by a high interest to lend money to a spendthrift, who will never repay it, as allow that which will burden the taxpayers with a host of bankrupts or paupers, for the sake of a tax. "These are my jewels," said the Roman matron of her children: peaceful industrious citizens are the wealth of the "mother country." A man is better than a sheep, or than the excise on gin. A negro, not valued as a man, only a chattel, costs in the United States above £200. An Englishman is not worth less, especially if he is one on whom a family depends. It is computed that 30,000 die every year from drinking: this then involves an annual loss of £6,000,000 to the community. Or put it in another way:—If these 30,000 persons might each have lived 20 years longer, on an average, there is an annual waste of 600,000 years; if our annual taxation is about £2 10s. a head, there is a loss of £1,500,000 to the revenue; but this is an under estimate, because the victims of intemperance are chiefly adults who pay much more. Death, however, is not the only source of loss. There are too many families on which the inebriate entails a greater loss than his death would be. How much does our revenue lose through those whom intemperance enfeebles and sickens, and who absorb the toil of others:—through the weakness and disease of those who have been ill used and half starved through the intemperance of others!

There are two classes who would be affected by the loss of the excise, &c., through the prohibition of the articles on which they are paid—those who now use them, and those who don't. It is plain that the man who now gives in taxes 6s out of every £1 he wastes in liquor, could better afford to give even 12s., if he had saved his £1. Abstainers, who are now free from these taxes, but would have to contribute to any deficiency, are the only persons to complain;—but they are the very ones who ask prohibition as a benefit. We have yet to learn that any new tax would be neces-

sary. Those that now crush an impoverished community could then be cheerfully borne: their proceeds would rise as this fell. "This is confirmed by the fact, that in the years of Father Mathew's greatest temperance triumphs in Ireland, while the revenue from whisky was vastly reduced, the total revenue had increased £90,000 above its average, besides saving much cost in collection."* We have other instances in which the temporary prohibition of distillation greatly increased the comforts of the working classes; but on these occasions there were still large quantities of spirits in the country; the consumption of wine and beer was unchecked; and intemperance was *reduced* only,—not *prevented*. When we remember that, in addition to the expenditure which sustains the present impost, about £50,000,000† are annually wasted through it, it is plain to common sense that it must be more easy to raise £20,000,000 on £110,000,000 than on £60,000,000. There is another consideration. The wealth of the country will not only be increased by the income saved, but by the capital which will annually grow out of it. Capital seeks security for its investments. Security is unquestionably promoted by temperance.

Revenue, therefore, need not tempt the government to become an accomplice in vice, by permitting the beer-house or gin-palace. It is a losing as well as disreputable partnership. Some suppose that Government would escape from responsibility by remitting the excise, customs, and license duties. But this would be as though an owner of beerhouses, instead of ejecting his tenants unless they changed their trade, should decline to accept their rents; or a magistrate, who would not imprison a drunkard, should refuse to fine him, because he did not relish money thus obtained. So far from having nothing to do with a trade, government does as much for it as it can, whilst it affords it security and protection.

Others think that they are required, by their free-trade principles, to recommend that all restrictions and imposts should be taken from the traffic. Surely—if, at least, they are friends to temperance—they must have forgotten their free-trade arguments; because they argued that freedom gives expansion to trade; if so, they should desire the reverse of freedom, for that which public welfare requires to be contracted. The greater the trade in intoxicants, the more intoxication will follow. Only a protectionist, who professed that freedom would ruin trade, could desire freedom for a trade he wished to lessen or abolish! The monopoly of a good business may be a public injury; but if the business is evil, the narrower its limits the better. We had rather that as few as possible had a monopoly of pauperism or crime, than that these pervaded the land. We desire to destroy such monopolies; not by giving expansion to that which injures, but by rooting it out.

* Lees, p. 128.

† See the calculation of the Parliamentary Committee and Dr. Lees' own statement.—Lees, pp. 35 and 317, 318.

Of course if a trade is good for society, the freer it can be the better. If it is foolish, but harmless, we may leave it to be laughed out of fashion. If it is dangerous beyond certain limits, it must not be free to go beyond those limits—we restrict the sale of poisons. But if no limits have yet been found, within which it is safe, the free-trader should demand its removal as urgently as he requires the dealer in stolen goods to be arrested, whilst he cheerfully submits to the competition of the lawful dealer.

We have not dwelt on the criminality and loss of life caused by the traffic; and as it is licensed by the legislature, and patronized by many persons of undoubted respectability, we must not, perhaps, expect the free-trader to concede its essential and inherent immorality, any more than a Southerner would allow that slavery was intolerable; but we may remind him that his economical arguments for the abolition of the corn laws are equally strong for the abolition of this trade, which apparently enriches a few but at the expense of the many, which destroys the strength of the community by taking away their bread, which does not so much change the channels of wealth, as utterly waste it.

There can be no true freedom without wise government. License is not liberty. In a savage state it is supposed that every man may do what he likes: yet only the strongest can do so, the rest are slaves. "Order is Heaven's first law," and earth's also. Law, to preserve its own existence, must suffer nothing that destroys order. To maintain freedom, all that fires the passions, and robs men of self-control, must, like other incendiaries and robbers, be coerced. That all innocent trades may enjoy their freedom, this, which is not innocent, which inflicts a wound on every other, which destroys health and reason, and all that gives security to trade, must no longer be permitted a license for spoliation.

All honor to the law of demand and supply; we dishonour it when we *cant* about the words without remembering their meaning. A nation should be as free as an individual to determine with whom, and in what, it shall trade. A traffic is not to be forced upon it by which it is a constant loser. Reason must be master, Appetite and Passion should be servants. If the master has no demand for goods, it is no fair trade to supply them to the servants at his expense. Intemperance is a national vice, and produces national poverty. The nation has a clear right to stop a traffic by which it has been defrauded of its wealth, and of that which is far more precious than money. When reason and temperance, which should govern each individual, and every household, bear rule in our representative government, we shall see an era of national prosperity, which will gladden the heart of the patriot the more because it will be the fruit of national virtue.

THE POLITICS OF TEMPERANCE.

THE

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LIBERTY AND THE LIQUOR TRAFFIC.

REPLY TO MR. JOHN STUART MILL.

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ANYTHING from the pen of Mr. Mill must command attention and respect. The clear and concise style, the careful and logical accuracy of thought, and, above all, the calm self-respect and tolerance which distinguish his writings, have gained for him the highest position among our political philosophers. The work which stands at the head of our present article will be welcomed as breaking a silence which Mr. Mill has for some time maintained. In a tender and delicate dedication he discloses enough of the emotion of the past to win from the reader, not only the admiration due to intellectual power, but the kindly sympathy accorded to sorrow and bereavement sustained with a manly and touching dignity.

The purpose of this little volume is to discuss the principles which should limit the interference of the State with individual independence—a discussion as important as any relating to political inquiries, and which involves a determination of conditions as “indispensable to the good conduct of human affairs as a protection against political despotism.” Perhaps it would better convey the scope of the essay were we to describe it as “an assertion of the right of individual independence;” for the principle laid down and contended for throughout is, “that the sole end for which mankind are warranted individually or collectively in interfering with the liberty of action of any of their number is self-protection.” To this, and, indeed, to every collateral principle laid down by Mr. Mill in this treatise, we cordially and fully assent; but it is somewhat strange to find ourselves compelled to differ from his application of the principle in almost every case selected by him for illustration. We are not surprised at this, although we ask ourselves whether we may not be mistaken. It is not always the philosopher who, in his closet, works out by laborious thought some great social truth, who can be accepted as an authority upon the special facts which bring any given social phenomenon within the principle he enunciates. In his little volume of 200 pages Mr. Mill devotes 170 to the consideration of “Liberty of Thought and Discussion,” “Individuality as one of the Elements of Well-being,” and “The

Limits of the Authority of Society over the Individual," and generally carries with him our most cordial acquiescence. But the remaining 30 pages of "Applications" provoke our strongest dissent. Mr. Mill is deficient in the special knowledge which alone could enable him to pronounce upon some of the questions he deals with in this department.

It is one thing to succeed in establishing a standard to which each act of legislation must conform; it is another to be possessed of the information necessary to decide as to the fact of conformity. In the first Mr. Mill has succeeded; in the second he has failed. He has unanswerably demonstrated the truth of the general principle for which he contends: he has shown himself unable to apply that principle in particular cases, simply because he has not made himself acquainted with their special characteristics.

It must be admitted as desirable that some general agreement should be arrived at by which to fix a limit to the power of a majority. Unless rigidly guarded, individual freedom may be crushed under a tyranny none the less galling because irresponsible. But the extent to which individual freedom can be enjoyed is itself a question which can be settled, not by an appeal to any external authority, but by society itself alone. In society, absolute individuality cannot exist. Individual liberty is merged in social liberty. The moment the individual meets a companion entitled to equality with himself, his absolute freedom ceases. His rights become necessarily limited by the rights of his fellow, and certain common rights arise which neither may infringe. But mutual agreement alone can decide what these common rights shall be. As the number bound in such a federation increases, the majority must decide in the event of disagreement; and the whole power of the new state, more or less effective in its execution in proportion to the formidable or insignificant amount of dissent, must be exerted to prevent any act which infringes the rights which it has been determined shall be guaranteed to all. The most which can possibly be contended for is the best form of society, viz., that which secures the greatest amount of social advantage and protection with the least sacrifice of individual independence. But society alone can determine these relations for itself. Its prime end is not individuality, but socialism; that is, the maintenance implicitly of the guarantees which have been decided to be common rights. Individuality must always be held subordinate; and the vital question appears to us to be, not as Mr. Mill seems to regard it, "How far *may*," but "How far *must* society interfere with personal freedom?" Certain acts *must* be prohibited, or society would cease to exist, because it could not command the implicit faith of its members in its guarantees. In our present society, for example, theft *must* be prohibited and punished by law. Society has decided that individual possession of property shall

be one of the common guarantees. It might have been otherwise. A state of society is at least conceivable in which communism and not individual right to property should be recognised. In such a society there could be no theft, and, therefore, no necessity for such an interference with personal freedom as a law against theft. But BECAUSE society has determined in favour of individual property, it becomes its bounden duty to prohibit each and every one of its members from any act tending to weaken that common guarantee. If some individual, desiring to possess that which belongs, under this guarantee, to some other, proceeds to seize it, society interposes, and says, "No; if we permit you to do that, our guarantee is worthless;" and the delinquent forthwith loses all the other guarantees of liberty and property with which he was himself surrounded. Whatever be the rights of the individual, as secured by society, whether to life or liberty or property, he forfeits ALL these rights if he use them so as to make his neighbours' rights insecure. The man who deprives, of malice aforethought, his neighbour of life, forfeits his own; the convicted felon is not only deprived of liberty, but the state resumes possession of, and authority over, the property it had enabled him to possess. We do not say this is the *only* justification of a law against theft or other social wrong, but it is sufficient.

Mr. Mill, however, does not contend for a principle so rigidly defined. He abandons any advantage which could be derived from the idea of "abstract right," and acknowledges "utility" as the ultimate appeal on all ethical questions. But still more distinct and appreciable are the admissions involved in his own statement of his case. In the Introduction he says:—

"The sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. The only purpose for which power can be rightfully exercised over any member of a civilized community against his will is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating or reasoning with him, or persuading him or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise. To justify that, the conduct from which it is desired to deter him must be calculated to do evil to some one else. The only part of the conduct of any one for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.

"It is perhaps hardly necessary to say that this doctrine is meant to apply only to human beings in the maturity of their faculties. We are not speaking of children, or of young persons below the age which the law may fix as that of manhood or womanhood. Those who are still in a state to require being taken care of by others, must be protected against their own actions, as well as against external injury."

In the course of the further discussion, Mr. Mill puts his view still more strongly:—

"If either a public officer, or any one else, saw a person attempting to cross a bridge which had been ascertained to be unsafe, and there was no

time to warn him of his danger, they might seize him and turn him back without any real infringement of his liberty; for liberty consists in doing what one desires, and he does not desire to fall into the river. Nevertheless, when there is not a certainty, but only a danger of mischief, no one but the person himself can judge of the sufficiency of the motive which may prompt him to incur the risk; in this case, therefore (unless he is a child, or delirious, or in some state of excitement or absorption incompatible with the full use of the reflecting faculty), he ought, I conceive, to be only warned of the danger; not forcibly prevented from exposing himself to it."

Our readers cannot fail to see that Mr. Mill, in both these extracts, abandons *altogether*, not as a concession, but as hopeless, any contest for an absolute individual right. Among the cases to which his general doctrine is not intended to apply, the first extract we have given enumerates that of young persons who have not arrived at the period, *itself to be fixed by law*, before which their individuality may not begin; and in the second those persons are distinctly excepted who are not *unfit* for the exercise of the freedom claimed. How that unfitness is to be determined, except by an appeal to the ultimate authority of society itself, Mr. Mill does not say.

But if the authority of society over the individual be in principle absolute, and the necessity for its exercise determinable by the will of the majority, it does become a grave inquiry, "How shall the rights of the minority be saved or protected?" On this point, at least, we have no difference with Mr. Mill. The right of freedom of thought and freedom of discussion is the great protection of the minority. This must be maintained at all hazards. Liberty of thought and speech is the foundation upon which all social and political liberty must rest. The minority must obey, but they may object. It is in every way the interest of the majority itself that such objection should be heard, since all can be benefited by the social embodiment of truth and good, and error may be eliminated by such discussion. The members of the majority to-day may to-morrow be in the opposite position, and must, in their turn, submit to a power superior to their individual will. "Liberty," says Mr. Mill himself, "has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion." A sound public sentiment can arise only out of full and unfettered exchange of opinion, and we hail Mr. Mill's essay as a most valuable contribution to the discussion of the vital question we have briefly treated. At present public opinion is wavering and undecided. Definite and intelligible notions on the duty and sphere of government are much to be desiderated; and, with the popular mind thoroughly imbued with the principles contended for by Mr. Mill, personal freedom would be secure. We should, however, anticipate as a result, not the abandonment, but the requirement of certainty in legislation. Our social evils should be dealt with, not timidly, but unsparingly—with decision, and not with hesitation. The mawkish sentimentality which leads to a jealousy of all law and

social control, is even more mischievous than the hasty appeal to legislation which may degenerate into a well-meaning tyranny.

Our object, however, is not to discuss at any length the principles of social liberty as laid down by Mr. Mill, but rather taking these for granted, to correct, so far as our influence may extend, some of his errors of application. Among the various social movements which to him, as a looker on, appear dangerous to liberty, Mr. Mill ranks the Maine law or prohibition movement. We unhesitatingly declare our conviction, with every respect for Mr. Mill, that he does so because he does not understand it.

Of course Mr. Mill's first objection to any legislation of the character indicated is fundamental. He declares that no social act should be interfered with which does not involve injury to others; but even if beaten from this position he retires behind another. He may admit that society has an interest in the performance or non-performance of any act, but that the interest is so trifling and indirect as to be unworthy of notice. In legal phraseology, he would say that "the damage is too remote." Now the application of either of these arguments to a movement hostile to the trade in strong drink can only be accounted for by the absence of information as to the nature and results of that trade.

We have no desire to evade any of the difficulties of the question. Mr. Mill appears to regard law as a certain inconvenience only to be allowed upon good excuse. Now we venture to declare our belief that acceptance of sound principles of social authority must force the conviction that the prohibition of the traffic in strong drink is an act, not *permissible* to the state merely, but *incumbent* upon it. We hold that government *ought* to do this; and that failing to do it, government proves itself recreant to its duty and purposes. Before passing to the general discussion thus opened, our readers shall judge for themselves whether our charges against Mr. Mill are unfounded—

"Under the name," he says, 'of preventing intemperance, the people of one English colony, and of nearly half of the United States, have been interdicted by law from making any use whatever of fermented drinks, except for medical purposes: for prohibition of the sale is, in fact, as it is intended to be, prohibition of their use. And though the impracticability of executing the law has caused its repeal in several of the States which had adopted it, including the one from which it derives its name, an attempt has, notwithstanding, been commenced, and is prosecuted with considerable zeal by many of the professed philanthropists, to agitate for a similar law in this country. The association, or 'Alliance,' as it terms itself, which has been formed for this purpose, has acquired some notoriety through the publicity given to a correspondence between its secretary and one of the very few English public men who hold that a politician's opinions ought to be founded on principles. Lord Stanley's share in this correspondence is calculated to strengthen the hopes already built on him by those who know how rare such qualities as are manifested in some of his public appearances unhappily are among those who figure in political life. The organ of the 'Alliance', who would 'deeply deplore the recognition of any principle which could be wrested to justify bigotry and persecution,' undertakes to point out the 'broad and impassable barrier' which divides such principles from those of the association. 'All matters relating to thought, opinion, conscience, appear to me,' he says, 'to be with-

out the sphere of legislation ; all pertaining to social act, habit, relation, subject only to a discretionary power vested in the state itself, and not in the individual to be within it.' No mention is made of a third class different from either of these, viz., acts and habits which are not social, but individual, although it is to this class, surely, that the act of drinking fermented liquors belongs. Selling fermented liquors, however, is trading, and trading is a social act. But the infringement complained of is not on the liberty of the professed seller, but on that of the buyer and consumer ; since the state might just as well forbid him to drink wine, as purposely make it impossible for him to obtain it. The secretary, however, says : ' I claim, as a citizen, a right to legislate whenever my social rights are invaded by the social act of another.' And now for the definition of these ' social rights.' ' If anything invades my social rights, certainly the traffic in strong drink does. It destroys my primary right of security by constantly creating and stimulating social disorder. It invades my right of equality, by deriving a profit from the creation of a misery I am taxed to support. It impedes my right to free, moral, and intellectual development, by surrounding my path with dangers, and by weakening and demoralizing society, from which I have a right to claim mutual aid and intercourse.' A theory of ' social rights,' the like of which, probably, never before found its way into distinct language, being nothing short of this—that it is the absolute social right of every individual, that every other individual shall act in every respect exactly as he ought ; that whosoever fails thereof in the smallest particular, violates my social right, and entitles me to demand from the legislature the removal of the grievance. So monstrous a principle is far more dangerous than any single interference with liberty ; there is no violation of liberty which it would not justify ; it acknowledges no right to any freedom whatever, except, perhaps, to that of holding opinions in secret without ever disclosing them : for the moment an opinion which I consider noxious passes any one's lips it invades all the ' social rights ' attributed to me by the ' Alliance.' The doctrine, ascribes to all mankind a vested interest in each other's moral, intellectual, and even physical perfection, to be defined by each claimant according to his own standard."

Here are more errors of fact, and more haste and inaccuracies of judgment than we thought to find in anything from Mr. Mill. Our readers need hardly to be told "that the impracticability of executing the law" has *not* "caused its repeal" in several States ; that it has been re-enacted in Maine after another experiment with license, and that its obstruction in other States has arisen from technical opposition, quite apart from "impracticability."

Nor can they fail to see that the arguments quoted by Mr. Mill are merely individual sentiments, and may or may not justify the agitation which the writer defends. Their demolition would not involve the defeat of the Alliance, for no cause can finally be made to depend on the strength or weakness of a particular advocate. But we do not regard the arguments quoted as in any way invalidated by Mr. Mill. Fragmentary as they are—isolated from their context—the entire consecutive argument of which these passages are merely the fringe, altogether ignored, we cannot discover in them the absurd "theory of social rights" deduced by Mr. Mill. Security and equality as to public burdens undoubtedly are social rights, and it is as surely a social wrong so to weaken and demoralize society as to deprive the individual of their certainty.

We quote Mr. Mill himself as our authority—

"The fact of living in society," he says, "renders it indispensable that each should be bound to observe a certain line of conduct towards the rest. This conduct consists—first, in not injuring the interests of one another ; or rather certain interests which, either by express legal provision or tacit understanding"

ought to be considered as rights : and, secondly, in *each person bearing his share* (to be fixed on some equitable principle) of the labours and sacrifices incurred for defending society or its members from injury and molestation. These conditions society is justified in enforcing, at all costs, to those who endeavour to withhold fulfilment."

We have perused with some care *the whole* of the correspondence between Lord Stanley and the Secretary of the Alliance, and there is scarcely a point raised by Mr. Mill which has not been anticipated and answered. "But," says Mr. Mill, "the infringement complained of is not on the liberty of the seller, but of the buyer." Surely here is a distinction without a difference. What right has the buyer which does not equally enure to the seller? The trading, which Mr. Mill admits to be a "social act," is not complete without *both* seller and buyer; and it is too much to contend that while the seller may, upon legitimate principles, be interfered with, the convenience of the buyer may compel the provision of facilities which society has determined cannot exist consistently with public good.

Let our readers now turn to the second extract we have made, from Mr. Mill's essay, and consider the principle involved in it. The passage itself is perhaps the strongest expression to be found throughout the volume of Mr. Mill's views. No objection is raised to a forcible prevention of any person from incurring an immediate and pressing danger. He is to be left at liberty to incur a *risk*, provided there be time to make him acquainted with its existence, and provided he be not under the influence of some "absorption incompatible with the full use of the reflecting faculty." It is strange such an exception should occur to an opponent of the Maine law. Not a line in the whole of this illustration which does not tell against Mr. Mill's application of it. The bridge is supposed to be in existence, but *unsafe*. It is *danger* which is certainly to be apprehended, not absolute *disaster*. It is a "*risk*" which is to be incurred. The traveller *may* reach the other side without harm; possibly, without suspicion of the peril he has passed. But with all this, Mr. Mill thinks his liberty may lawfully be infringed, if he be unconscious of the danger, or unfit to estimate its imminence. The true application of this to strong drinks and to prohibition is too obvious to need elucidation.

Mr. Mill's arguments with reference to prohibition and gambling are so impartial as to deserve full quotation—

"There is another question to which an answer must be found consistent with the principles which have been laid down. In cases of personal conduct supposed to be blameable, but which respect for liberty precludes society from preventing or punishing, because the evil directly resulting falls wholly on the agent; what the agent is free to do, ought other persons to be equally free to counsel or instigate? This question is not free from difficulty. The case of a person who solicits another to do an act is not strictly a case of self-regarding conduct. To give advice or offer inducements to any one is a social act, and may, therefore, like actions in general which affect others, be supposed amenable to social control. But a little reflection corrects the first impression, by showing that if the case is not strictly within the definition of individual liberty, yet the reasons on which the principle of individual liberty is grounded, are applicable to it. If people must be allowed, in whatever concerns only them—

selves, to act as seems best to themselves at their own peril, they must be equally free to consult with one another about what is fit to be so done, to exchange opinions, and to give and receive suggestions. Whatever it is permitted to do, it must be permitted to advise to do. The question is doubtful only when the instigator derives a personal benefit from his advice; when he makes it his occupation for subsistence or pecuniary gain to promote what society and the state consider to be an evil. Then, indeed, a new element of complication is introduced, namely, the existence of classes of persons with an interest opposed to what is considered as the public weal, and whose mode of living is grounded on the counteraction of it. Ought this to be interfered with or not? Fornication, for example must be tolerated, and so must gambling; but should a person be free to be a pimp, or to keep a gambling-house? The case is one of those which lie on the exact boundary-line between two principles, and it is not at once apparent to which of the two it properly belongs. There are arguments on both sides. On the side of toleration it may be said that the fact of following anything as an occupation, and living or profiting by the practice of it, cannot make that criminal which would be otherwise admissible; that the act should either be consistently permitted or consistently prohibited; that, if the principles which we have hitherto defended are true, society has no business, *as* society, to decide anything to be wrong which concerns only the individual; that it cannot go beyond dissuasion, and that one person should be as free to persuade as another to dissuade. In opposition to this, it may be contended that, although the public or the state are not warranted in authoritatively deciding, for purposes of repression or punishment, that such or such conduct affecting only the interests of the individual is good or bad, they are fully justified in assuming, if they regard it as bad, that its being so or not is, at least, a disputable question; that this being supposed, they cannot be acting wrongly in endeavouring to exclude the influence of sollicitations which are not disinterested, of instigators who cannot possibly be impartial—who have a direct personal interest on one side, and that side the one which the state believes to be wrong, and who confessedly promote it for personal objects only. There can surely, it may be urged, be nothing lost, no sacrifice of good, by so ordering matters that persons shall make their elections either wisely or foolishly on their own prompting, as free as possible from the arts of persons who stimulate their inclinations for interested purposes of their own. Thus (it may be said), though the statutes respecting unlawful games are utterly indefensible—though all persons should be free to gamble in their own or each other's houses, or in any place of meeting established by their own subscriptions, and open only to the members and their visitors—yet public gambling houses should not be permitted. It is true that the prohibition is never effectual, and that whatever amount of tyrannical power is given to the police, gambling-houses can always be maintained under other pretences; but they may be compelled to conduct their operations with a certain degree of secrecy and mystery, so that nobody knows anything about them but those who seek them; and, more than this, society ought not to aim at. There is considerable force in these arguments; I will not venture to decide whether they are sufficient to justify the moral anomaly of punishing the accessory when the principal is (and must be) allowed to go free, of fining the procurer but not the fornicator, the gambling-house keeper but not the gambler. Still less ought the common operations of buying and selling to be interfered with on analogous grounds. Almost every article which is bought and sold may be used in excess, and the sellers have a pecuniary interest in encouraging that excess; but no argument can be founded on this in favour, for instance, of the Maine law; because the class of dealers in strong drinks, though interested in their abuse, are indispensably required for the sake of their legitimate use. The interest, however, of these dealers in promoting intemperance is a real evil, and justifies the state in imposing restrictions, and requiring guarantees, which, but for that justification, would be infringements of legitimate liberty."

Here we have an instant explanation of Mr. Mill's difficulties. The dealers in strong drink have a direct interest in their abuse it is admitted, but *because indispensably required for the sake of their legitimate use*, may only be restricted and compelled to find guarantees.

It is not easy to see the distinction in principle between the interference here admitted and that sought by the Alliance. True, Mr. Mill objects to any restriction of number on the ground of removal of temptation or facility; but this objection is entirely opposed to his own admission of interference so far as not "indispensably required for their legitimate use." The question between ourselves and Mr. Mill is at once narrowed by this admission. We require no further discussion on principle; all will be settled if we can only agree as to the meaning continually attached to the phrases "indispensable" and "legitimate use." If society should determine that the common facilities for trade are not "indispensable," and that the article may "legitimately" be confined to the shelf of the apothecary, what objection can Mr. Mill raise? If it should turn out that the trade is *essentially* hurtful, and obeys no restrictions, the justification for extreme interference is complete.

The social doctrines upon which a demand for prohibition may be justly based, appear to us to be very simple and intelligible. Because, as we contended at the commencement of this article, society must maintain with certainty its guarantee to each of its members, of liberty, property, and so forth, it must prohibit any employment of liberty or property, by any one, in such a way as to tend *inevitably* to the insecurity of others. Possibly this principle may legitimately be carried even further; but we do not desire to press it beyond the necessity of our present argument. The employment of property in the traffic in strong drink has this *inevitable* tendency. It cannot exist without producing insecurity to all the social guarantees. It is not only a trade—a social act—but a peculiar trade, a specially mischievous social act. It is not merely, as in other trades, that "the trader has a pecuniary interest in encouraging excess," that he "solicits" another to do an act injurious to the common weal, his, the trader's, "interest being opposed to that common weal." but that he deals in an article possessing terrible fascination, and operating, irrespective of the trader's interest, in such a way as to induce a physical tendency to excess. We do not say that in every individual using them facilities for the purchase and sale of strong drink create intemperance, but in very many they do, and in all tend to do so, from the nature of the article sold. This peculiarity of the trade is admitted by Mr. Mill himself in his "Political Economy." He recommends a taxation of spirits, "BECAUSE they are more liable to be used to excess;" and although, in the present treatise, he departs from that argument, it is probably due to the exigency of the logic rather than to a change of opinion. Hence, it is plain that no restrictions or guarantees can get rid of the "real evil" admitted by Mr. Mill, because it arises not from the interest of the trader, but from the trade itself. The mischief is inseparable from the business, because it is a trade in the mischief-maker. As with some of

the mysterious deformities of nature, a cure may sometimes be effected, but only at the expense of the life of the patient, so some subtle statesmanship may devise guarantees, and seek to remove from the trade in strong drink its desperate power of social injury, but the trade must certainly perish in the process.

To apply Mr. Mill's principle, and to use his own simile, we say, "Possibly the torrent of intemperance may be bridged over by restriction and guarantees, but that bridge has been 'ascertained to be unsafe,' " and the crowd pressing over are not only unconscious of the danger, although their neighbours are constantly falling through, but it is almost impossible to awaken them to its presence until too late to save them. They do not "desire to fall into the river."

One more consideration, and we have done. The whole of Mr. Mill's theory of social government is based on the intelligence of the people. "Despotism," he thinks, "is a legitimate mode of government in dealing with barbarians." It is no part of our purpose now to discuss metaphysical questions, or to explain the connection between "intelligence" and the physical organ—the brain. A healthy brain means a healthy mind; a diseased brain, a diseased mind. Now, as is well known, the specific action of alcohol is upon the brain—disorganizing its structure and disturbing its functions. In its mildest operation it dethrones reason and substitutes appetite as the governing power. A trade in such an article must always be a crime-producer—must continue under any restriction to be hostile to the interests of society—and must constantly, by the excitement of an appetite so furious as to "know no control and acknowledge no natural affection," induce, to quote Mr. Mill again, "a delirium" or "some state of excitement and absorption incompatible with the full use of the reflecting faculty." The trade in alcohol is mischievous, no doubt, because it is the interest of the trader to promote excess; but it is vastly more mischievous because it is constantly undermining the intelligence and self-control of the people, its results being dependent on the inexorable physical laws which govern the operation of the thing traded in. We commend this last view of the subject to Mr. Mill's further consideration.

Nor can Mr. Mill for a moment contend that the interest of society in the promotion or check of intemperance is remote or indirect. If there be any force in the argument last used, it is a vital question, since all considerations must give way before the necessity for preserving the healthy action of intelligence. All the results which, from a consideration of the probable operation of such an agent in society might be expected, have been fully experienced. The trade in strong drink is the great social disturber. Crime, pauperism, insanity, disease, death, follow its development. It creates the necessity for taxation and public burdens, while those profiting by it bear no adequate

proportion of those burdens. This is certainly not adjusted on the "equitable principle" contended for by Mr. Mill. Corruptions, political and social, gather round the public-house as a centre, and justify appeals to the law of self-preservation as applicable equally to society as to the individual.

It appears clear to us that Mr. Mill's examination of this question has been but cursory. He has clearly heard and seen nothing of the recent suggestions put forth by the United Kingdom Alliance. We have discussed the question in the present article without allusion to the so-called Permissive Bill. Of course the same principle is involved in that as in a general enactment. It is not, as some fancy who have thought but loosely about it, an escape from the difficulties which, to such minds as Mr. Mill's, encircle the "Maine law" question; it is merely an avoidance of practical legislative obstacles, enabling the principle it involves to be readily applied to the circumstances of society. The rights of the majority are as much involved in the prohibition of the trade throughout a parish or county as throughout the nation. It is difficult, however, to understand upon what definite principle of social rights and duties it can be denied that a preponderating majority may, if so minded, prohibit a social act which results in the greatest amount of social injury. Whether it may be prudent in any case to exercise that right must depend on the extent and power of the majority, and as applicable to the traffic of strong drink upon public opinion as to the nature and results of that trade. If that trade be, as we believe it to be, a social act justifying and demanding the severest repression, it is sheer cowardice to avoid the acknowledgment, and to shrink from the labour involved in securing an expression of the social will.

LETTER TO JOHN STUART MILL, ESQ.

(From the *Alliance Weekly News* of March 26, 1859.)

"SIR,—The principles you have advocated in your work 'On Liberty,' will prepare you to entertain with patience any expressions of dissent which its perusal may call forth. I have read it with care and personal profit, and should be sorry for the man who failed to admire its crystal purity of style and the high qualities of heart and mind with which it is imbued.

"The general propositions you have laid down will meet with few to controvert them, but exactly where the interest chiefly centres—in the illustrations you supply—you will fail not unfrequently, I conceive, to carry your readers with you. They may be wrong, and you right; and I trust that your own candour will suffer you to believe that, in at least a fair proportion of cases, a difference of opinion in applying your canons of liberty is quite consistent with an adhesion to those canons and a love of liberty equal to your own. This plea may be thought superfluous, and so I should have deemed it, if it had not struck me that your selection of examples and modes of allusion were tinged, at times, with an acerbity unjust to those whom you professedly

oppose. Would it not have been better, for instance, if, in noticing the Alliance, you had forbore to speak of its leaders as 'professed philanthropists?' May they not be real philanthropists, if mistaken ones? Your acquaintance with the movement for Prohibition must indeed be small, if you are not aware that it embraces hundreds of men—including the late Rev. John Clay, Dr. Guthrie, and Thomas Wright, the 'prisoner's friend'—whose philanthropy has been proved by 'works of faith and labours of love,' which, in the excellency of their strength, have made profession needless.

"It is more than probable that the authority of your name will be gladly adduced by those who have sworn battle against the Alliance; and it is, therefore, desirable that they and others should know to what you are committed, and to what they will be committed by appealing to your authority as a triumph. Let them learn, then, that you repudiate all imposts on intoxicating liquors, and all interference with their sale, 'for the sole purpose of making them more difficult to be obtained' (page 180), or 'for the express purpose of rendering them more difficult of access and diminishing the occasions of temptation' (page 182). Legislation for these ends you repudiate, I say, and denounce, and you go as far as to assert that measures so designed 'differ only in degree from their entire prohibition, and would be justifiable only if that were justifiable.' Now the truth is, as you do not require to be informed, that legislation on the liquor-traffic has invariably proceeded on the grounds you condemn, and that not one in a thousand persons who take any interest in the subject is prepared to receive the doctrine you propound. You repeat in their hearing what they have refused to believe when declared by us,—that a restriction of the liquor-traffic, with a view to restrict its evils, is virtual Prohibition. You assure them that they are Prohibitionists without having known it, and that their principle is only justifiable if Prohibition is justifiable also. For this definite and unqualified statement we have to thank you. It will remove a veil from many eyes. It will show many that they cannot consistently remain where they are. It will, at all events, prevent the abuse of your authority as directed against Prohibition alone. The restrictionists who would bring your battery against our position must be prepared to point it against their own. Another class will be no more benefited by your argument, as an argument, than the strong restrictionist phalanx. The liquor-dealers may have heard—though literature has few transactions with them—that you have taken the field as their champion; and, in the simplicity of their young affection, they might propose to ornament their houses with your portrait. That you would sanction such a proposal I do not suspect. As a gentleman and man of letters your spirit (which is different from theirs) would resent the ill-omened flattery. But the attempt will never be made, unless they are grossly misled. They will be more disposed, I fear, to denounce you as a libeller than to promote a testimonial. You have no sympathy with their cry of 'vested rights' and 'infringements' on *their* liberty. You plainly say, 'The infringement complained of is not on the liberty of the seller;' and even more pointedly you affirm, that the 'class of dealers in strong drink are interested in their abuse,' and that 'their interest in promoting intemperance is a real evil, and justifies the State in imposing restrictions and requiring guarantees.' Nay, you will not allow that their houses stand on a level with other places of public accommodation; for 'all places of public resort require the restraint of a police, and places of this kind peculiarly, because offences against society are especially apt to originate there;' and you suggest certain arrangements for keeping, if possible, the drinking-shop and its proprietor from doing gratuitous mischief to society. The traffickers in strong drink will, therefore, not be prepared to raise you into the seat of worship and swear by your book. They will have none of you as their leader by acclamation; and I cannot say that you will lose any honour by the non-election. Their only consolation will be that, if you do not fight in their name, you do fight against us, and would prevent us bringing their business to a dead-lock.

"Your opposition to legislative suppression turns upon the assumed fact that it would entirely prevent the use of intoxicating liquors, and amount to compulsory abstinence; and this assumption is yoked to another, that to prevent the use of intoxicating drinks would be an infringement of civil liberty. I must respectfully deny that the question, as thus put, is placed in a just and true position.

"Existing laws do not permit the use of such liquors to an unlimited extent; men may not now drink as much as they like, for, beyond a certain

limit, that use creates intoxication, and that intoxication, despite your disclaimer, is regarded as a social offence, and punished with imprisonment and fine. You propose to punish the soldier or policeman who should get drunk on duty; but, can you deny that there is, as you term it, a 'definite risk of damage' to society created by every act of inebriation? Is a madman only to be arrested after he has done mischief? and is not a state of drunkenness a state of temporary madness? You also propose to inflict some penalty on the man who commits an assault when drunk, and to punish him afterwards for simple drunkenness; since, 'making himself drunk, in a person whom drunkenness excites to do harm, is a crime against others.' And what is this but legislating in respect to the use of intoxicating drinks?—such use as both gives rise to drunkenness, and creates the appetite and habit by which drunkenness is fed. To say to myriads of men that they shall not be mischievous when drunk, is to forbid drunkenness, and, to forbid drunkenness to them, is to forbid them the use of intoxicating drinks. Hence it appears that, contrary to the current of all your reasoning, you propose to do the very thing you charge upon us as 'a gross usurpation upon the liberty of private life.'

"But do we in reality propose to suppress by law the use of intoxicating drinks? and should we make it impossible for persons to obtain them? You assert this in the strongest terms, but do not advance a tithe of proof. As to wine, which you specifically name, it is made an objection to the Alliance that importations of it under another name could be carried on as freely as before; and there would be no impossibility in the private manufacture of fermented liquors. There would be difficulty, no doubt; but to gratify a taste, even a passing caprice, people do not complain of difficulty, or refuse to encounter it. That the difficulty would be sufficient to lead numbers to abstain, and that the children of our land would have a better prospect of being trained in ignorance of intoxicating liquors, is not an objection to Prohibition in the minds of many non-Teetotallers themselves.

"What you claim on behalf of the consumers of intoxicating liquors is not the liberty to use them when got, but the liberty to get them by purchase with the least possible trouble, at the least possible expense, and to the utmost possible extent. This is the claim, but you do not even attempt to show that the claim is one which liberty sustains. Be a thing never so good in itself, there are ways of obtaining it which may endanger social interests; and, therefore, from such ways of obtaining it, men are cut off. But if a thing be dangerous in itself, so that it always represent a real element of danger to society, to claim that every citizen shall have liberty to get it where and how he pleases, is to introduce a new species of liberty into the State, which would soon effectually dispose of every other.

"But the fact is—though you have strangely passed it over—that *intoxicating* articles cannot be treated as other articles are, by either the individual or the State.

"No philosophical disquisition on human rights can afford to make light of the essential qualities of dangerous substances, and of their effects upon the human constitution when consumed. The logician may do this, but the statesman cannot. You impartially class opium and alcohol together; you could do no less; and in the same category you might have placed every article of the pharmacopœia.

"Let me suppose that some preparation of Drugs should be invented capable of instantaneously disposing those who consumed the smallest portion to deeds of frightful atrocity, and yet so irresistably fascinating that none who once tasted it could refrain,—you would still be bound to maintain, not only that each member of the community should be at liberty to prepare it for himself, but that those who desired it should be at liberty to have it sold anywhere or everywhere, notwithstanding the temptation it would offer to those who had yet escaped, and the social evils such sale was daily inflicting. This is an extreme case, but as you say of free discussion, 'unless the reasons are good for an extreme case, they are not good for any case.' Yet, if such a traffic as that imagined would not be tolerated, the traffic in alcoholic liquors has no claim on public sufferance.

"Reconsider, sir, I beseech of you, the conclusions to which your proposition commits you—the most intoxicating liquors sold at the cheapest rate which cost of production and profit of sale would permit; sold by any person who can get a certificate that he is respectable before he *begins* the polluting trade;

sold to every one who can buy, 'asking no questions for lucre's sake ;' and sold at all hazards and with all consequences to every interest in the State. Two authorities should, we contend, be paramount in regard to articles of trade—science deposing to their character as innocent or dangerous,—experience testifying to the results of such traffic on social welfare. If both witnesses give adverse evidence, no reasonable interpretation of liberty can demand that those who wish for these articles should have them provided for them publicly, and that for their convenience places should be established which become the head-quarters and manufactories of vice, crime, and ruin. To pay this price for individual liberty—the liberty of buying intoxicating drink—is a price which the peerless goddess has never demanded.

"You give, sir, no decided judgment on gambling-houses, but seem to incline to their prohibition. Are tippling-houses less pernicious ?

"There are other questions to which you do not advert—the liberty of persons to demand low lodging-house accommodation, the sale of tainted meat, the services of fortune-tellers, and a thousand other things which people may be brought to want if they are only sufficiently tempted by the presence of the object. Why should you deny to trades the test you apply to persons ? Let the liquor-shop stand or fall on a review of its social effects ; and no system of abomination, now happily overthrown, can compare with it in the magnitude and number of the social offences it has originated or fostered. Are we to continue ever suffering from, but never able to interpret the lessons of, this portentous evil ? Can any one suppose, with the experience of all ages behind him, and the records of science before him, that the common sale of alcohol will ever become free from social danger and havoc ? Be not alarmed, sir, lest individual liberty should not have sufficient scope under a Maine law (which, allow me to say, is not the impracticable thing you style it) for oscillations from right to wrong. In this very matter of drinking liberty to consider and to act would still remain ; and if, as I believe, law is a power possessed of but limited resources in the education of a people, the greater reason remains that the power should not permit social agencies of intemperance to miseducate and destroy.

"Seeing, then, that trade is 'a social act,' and not 'self-regarding,' that the traffic in strong drink is pre-eminently anti-social in its consequences, and that self-protection by the prohibition of anti-social acts is the right and duty of society, the continuance of a traffic so anti-social cannot be defended on the ground of individual liberty ; and the argument of your Essay against Prohibition is at an end. Other difficulties, indeed, than those of theoretical objection have to be contended with—the scruples of those who, as you observe, 'prefer to bear almost any amount of social evil,' rather than have recourse to legislative assistance ; and, above all, the force of custom, interest, appetite, and lethargy, which in this case particularly indispose society to exercise its undoubted right of self-protection. In overcoming these difficulties, the Alliance has laboured, and still continues to labour, with patient and well-rewarded vigour.—I am, sir, your obedient servant,

DAWSON BURNS.

45, Westbourne Park-road, W.,
March 22nd, 1859."

THE POLITICS OF TEMPERANCE.

17
THE

UNITED KINGDOM ALLIANCE

MONTHLY PAPERS.

EDUCATION:

IS IT A REMEDY FOR NATIONAL INTemperance?

“That which in my opinion, modifies the results of different years, is not the influence of Free-will, so far as it can in fact be active, but rather the changes which Society undergoes by degrees, *through the gradual reform of its Institutions*—as through the oscillations of its *habits* and its *wants*. Experience convinces us more and more, that, *with the same social organization*, we may be prepared, year after year, for the return of the same moral phænomena.”—QUETELET.

“All my investigations lead me to the same results. It is a sad truth, *that Society prepares the Crime*.”—MITTERMAIER.

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THE EDUCATIONAL FALLACY.

AMONGST men of a certain amount of reading and culture, a prejudice prevails against the principle of Legal Prohibition of the Liquor Traffic, in favor of the supposed efficacy of Educational Institutions, and substitutionary pleasures, for the extirpation of Intemperance. When we note the general character of the objectors, who have realized an exemption from the vice themselves, the prejudice seems natural enough. Yet holding it to be a grave and pernicious delusion to assume that popular Education, Recreations, and so forth, are or can be adequate to cope with the peculiar and actual causes of our national vice,—we solicit a careful and impartial attention to the grounds of our opinion. Let us not be misunderstood, however. We are the friends of the highest and most attainable education, regarded as one of the chief ends of society, and of course advocates of freedom from that excessive and degrading toil which is incompatible with that end, as with all true enjoyment of life.

1. KNOWLEDGE, be it observed, is not directly operative upon the organic and moral nature of Man. It is at best but a *directing* power—not a motive force. Mr Buckle, in his History of Civilization in England, has shown by a large induction of facts, indeed, that Science and Knowledge have created and destroyed many of the *institutions* of Society, and altered many modes of social action; but he confesses, that it has little or no direct action upon the *subjective-nature* of man himself, who is therefore very much the same sort of being he ever was—neither better nor worse than in the days of Plato and Socrates. Races *inherit* character, which remains essentially the same, while the sum of knowledge increases beyond all comparison. The modern Frenchman differs only in manners and information from the ancient Gaul—not at all in character, motive, or impulse. If *vice* has its source in the active-powers and susceptibilities of man, and not in the mere element of knowledge or ignorance, there can be but two methods of reaching and modifying it: either the *introduction* of an inner-force, intensifying the action of those higher feelings which balance or control the lower impulses, or the *removal* of those outer-conditions which unduly excite the passional and personal activities of men.

Now the first of these methods, except to a most inconsiderable extent, is beyond the sphere of Social Law; it is therefore the last method by which society must mainly work for the accomplishment of its purposes.

“Instead of ordering men to rise above their circumstances, which few can or will do, political philosophy seeks to alter the circumstances, and through them affect the men, by preventing

any from being exposed to temptations beyond their strength. Virtue must come *from within*; to this problem Religion and Morality must direct themselves: but Vice may come *from without*; to hinder this is the care of the Politician.”*

If a statesman would be justly deemed insane, who should proclaim knowledge the exclusive remedy for all vice and crime, and thereupon propose the abrogation of the Statutes at large, a similar proposition, treating the particular vice of drunkenness, the source of so much other crime, can hardly be regarded as a specimen of extraordinary wisdom. In fact, the argument is even weaker in the latter than the former case; since drunkenness does not arise from the original subjective nature of man, but has its beginning solely in the abnormal action of the *drink* itself upon the organic structure of the nerves and brain. Engendered as it is by the action of a physical agent, it can possibly be cured only by abstinence from its cause, not by moralizing.

“It is well that we should guard ourselves against undue and extravagant expectations of the amount of good to be derived from School instruction. *Centuries of Education will not remove the evils of bad and mischievous customs and laws*, which form, in fact, an indirect Education of another kind, often more powerful and lasting in its influence, than any series of lessons taught within the walls of a school-room.”†

Professor Rogers has well put the case in the following passage:—“If it be said that the schooling, by which knowledge is imparted, will do good,—that I admit most willingly; any decently managed school is, in that point of view, beyond all price; but then, though the giving of the knowledge is the avowed object, the great benefit reaped is a moral one—it is the effect produced *in the process itself* of acquisition that constitutes the chief value of schooling; it is because industry, perseverance, patience, punctuality, veracity, and so on [*habits and actions*], are practically taught in the course of this school-discipline; it is because it involves *the right employment of time and the exclusion of temptation*. Neither capacity nor knowledge have, in themselves any reference to virtue, any more than anything else that is merely instrumental, and that may be, like these, used or abused.”‡

As customs and laws are powerful by inducing the *actual use* of that which generates evil, so knowledge or instruction is mediatively serviceable in directing to a contrary course. *So far* as education teaches men to drink less, or less-often, so far it must modify or check intemperance; *so far* as recreation and reading keep a man out of the temptation of the social circle or the public-house, so far of course will it prove efficient. It is a gain to temperance—a loss to the opposing vice. But the converse is equally true, that *so far* as men drink, either in the

* Professor F. W. Newman. + Westminster Review, Vol. 34, p. 69.

‡ Greyson's Correspondence, pp. 129-130.

private circle or at the tavern, so far are sown the seeds of intemperate appetite. The first custom will infallibly measure the second consequence. In short, we can concede to knowledge no more than this—that to the extent its advices and attractions limit the consumption of intoxicating drink (the *sole proximate cause* of drunkenness) to that extent it abates the effect.

2. *How far* it is ever likely to do this, short of the special education of Temperance Societies and the removal of the legalized temptations to drinking, may be best estimated by its influence in the past. History, private and public, is philosophy teaching by example. Now the first thing which strikes the observer, in looking at the facts of history, is, that *amongst educated individuals, classes, professions, and nations alike, where drinking obtained, intemperance has also prevailed, both in ancient and modern times.*

There is one illustration of the unavailingness of moral suasion, of civil and religious discipline, combined with the most remarkable of all examples of national education, which has been exhaustively treated elsewhere*—we mean, the history of the Jewish church and nation. The Bible exhibits strong drink in its seductive operations upon the highest and best of men, overcoming and enslaving patriarch and prince, priest and people. After the education and discipline of six hundred years, it is declared that the priest and the prophet are “swallowed up of wine”—that they “err in vision and stumble in prophecy.” “*What more,*” asks Jehovah, “can I do for my people than I have done?” The love of strong drink is again and again declared to be the chief hindrance to the progress and success of that wonderful divine economy; and the Lord, instead of further moral suasion, sternly proclaims—“Therefore shall my people go into captivity.” The Bible contains, virtually, the sum and substance of all later experience—2000 years having served but to confirm its solemn lessons on this subject.

3. EDUCATED INDIVIDUALS have been numbered amongst the victims of strong drink in all ages, from the time of Alexander the Great, to the age of the great statesman, William Pitt. Indeed, some of the better qualities of man, some of the most amiable traits of character, and even some of the peculiar attributes of genius, rather *dispose* to the ready developement of the passion for intoxicants, wherever custom has supplied the agent and the temptation. Both as respects opium and alcohol, literary history is full of striking examples. Mr De Quincey, in his celebrated Confessions, gives many illustrations as to the former, including himself, the celebrated historian Dean Milner, and the poet-philosopher S. T. Coleridge; and the memory of the reader, in reference to strong drink, will supply a dark catalogue of distinguished victims, down from the period of Addison, Steel, and Goldsmith, to the days of Burns, Byron, and Campbell. Our own recollections would fill up a long roll of victims from amongst

* Works of Dr Lees, vol. 2.

the first literary names of the past generation ; whilst the habits of some of the most eminent *living* writers sufficiently confutes the notion that high culture, or mere education, is any safeguard against the encroachments of the appetite for strong drink. Every day's experience supplies individual instances of the education fallacy. The paper of to-day announces the suicide, while in drink, of the editor and proprietor of a *Journal* published in a fashionable town in the West of England. The London *Telegraph* the other week, contained another terrible example, in the suicide of Dr Robert Mortimer Glover, who, some years ago, systematically assailed the doctrine of teetotalism, and pleaded for the safety and moral virtue of moderate drinking!* He was not only an educated man, but a man of talent—the author of many medical papers, a writer for the *Encyclopædia Britannica*, and the author of a system of Chemistry. Alcohol, at last, lost its power to affect him, and he resorted to Chloroform as an inebriating agent, under an excessive dose of which he died, at the early age of 42. He drove his wife, after three weeks marriage, to the madhouse, and then, three weeks later, rushed, unbidden, to his final account.

What is the secret of all this ? The operation of a *physical law*, in the presence of which mere knowledge is powerless. "Much may be done through the convictions," says Dr Laycock, the Professor of Medicine in the University of Edinburgh ; "but nothing is more certain than that men may *know* the right and yet the wrong *pursue*. When the brain is affected it causes a true mania for wine and stimulants. Indigestion being temporarily relieved by alcoholic stimulants, it *lays the foundation* for an ever-growing habit of taking them in women, and excites a more and more urgent desire in the drunkard. *It is in this way that many persons of position and education have become irrecoverable sots.*"

4. EDUCATED CLASSES AND PROFESSIONS supply abundant testimony to the inefficiency of mere education to counteract custom and physical law. Goethe, one of the profoundest of observers, has lamented that our social manners and modes of life are not brought into fuller harmony with our theories of duty. The fact is, that everywhere our vital institutions neutralize our virtuous ideals, and the moral man is crushed under the perpetual pressure of material interests and egoistic temptations.

Everybody knows that the professions of the law and of medicine include frequent and frightful illustrations of the passion for intoxicating liquors. Though embracing men of the highest education and capacity, they are not at all proverbial for their sobriety. Nor do university towns, where both secular and religious education is imparted, rank foremost amongst the favored localities of temperance. If anywhere however, we might calculate upon witnessing an exception from the vice of

* See *Fallacies of the Faculty* : Works of Dr Lees, vol. 2.

drunkenness, it would be amongst those special denominations, where the ministerial function is least connected with professional temporalities, and where religion, instruction, and discipline are most pervadingly combined. If the highest forms of education fail in these cases to accomplish the suppression of the evil, what hope can we have of a less stringent and coherent form of the same panacea? In an age notable for its material, intellectual, and moral appliances of progress,—notable for an activity unparalleled in the history of human amelioration,—what is the actual state of the *churches* and *denominations* of our country—not to speak of the outside world? Here is the testimony of the Rev. Charles Stovel, the pastor of a large Baptist congregation in the metropolis, lately given in his own chapel:—

“Within the range of my own experience, and the circle of my own friends, and amongst those who have been the objects of my own pastoral care, examples have burst out from time to time, so terrible, so demonstrative of the evils of intemperance, that I have long wished for an opportunity to clear my own conscience, to bear my testimony, in conjunction with others, against the generating *habits and customs* through which so many perish.* Having spent 38 years in the christian ministry, I have, in the discharge of my duty, looked at the effect of these drinking customs upon *all grades* of society, and I have found that they have touched and blasted high and low, young and old, *learned and unlearned.*”

The Society of Friends is a highly moral and educated body of christians, remarkable for their mutual oversight and rigid discipline. Yet Mr. S. Bowly, a member of their body, with an experience of public life extending over 40 years, is thus reported to have lately spoken in the Town Hall of Longton:—

“I challenge any one present to name any one class of citizens that have escaped the awful consequences of intemperance. Medical men, lawyers, clergymen, and members of the Society of Friends, have fallen victims: and if highly cultivated men, having all the advantages of education, and private resources which secured for them due relaxation and recreation under the most favorable conditions; and if many members of the Society of Friends, with all the advantages of their early training,—could not resist temptations to intemperance, how could they feel surprised that those constituting the great masses of the population, who have none of those advantages, could not resist the temptations which brought so many of them to an untimely end?”

5. Even the SPECIAL EDUCATION and influences of Temperance Societies, conjoined with the progress of general intelligence, has not served to guard the members of these Associations from the seductiveness of temptation and the dangers of the drink. The *difficulty* of the Societies has been to retain the conquests

* The Duty of the Church. A. W. Bennett, Bishopgate St. Without, London.

which they have won. Mr John Dunlop, whose work on the Drinking Usages is an important contribution to the philosophy of this question, laments that from 50 to 75 per cent. of teetotalers break their pledges under the tyranny or temptations of social usage. Knowledge, indeed, is quite unable to cope with Custom, in a continuous warfare: the sole chance for the triumph of intelligence is in the destruction of the corrupting and opposing agency.

"I once succeeded," says Mr Dunlop, "in getting *seven* curriers' shops to abandon drinking usage. Visiting the same town some years afterwards, I found *six* of these had returned to their old unhappy practices; for the temperance committees had given no assistance to *keep things steady*, even where a good beginning had been made; much less had they instituted new assaults on compulsory usage." It is our clear conviction, that no merely voluntary and necessarily spasmodic efforts can ever accomplish the work of suppressing so wide-spread a system of national usage: it can be effectually dealt with only by the arm of the law, drying up its fountains and feeders. When men as Citizens act in the same direction as men of Temperance, there will be a fair and hopeful field for the triumph of moral suasion and associated example.

6. The facts and statistics of MODERN NATIONS bring us to precisely the same conclusions.

The United States of America, with an excellent system of National Education, combined with extreme political liberties, and the superabundance of a new country, nevertheless exhibited, prior to the Temperance and Prohibitory movement, exactly the same social phenomena which are seen amongst ourselves. The States were at once free, educated, and drunken.

In Belgium, the political philosopher has to note the same connexion between drinking and crime notwithstanding the education of the people, which exists at home. Mons. G. Ducpetiaux, the inspector of prisons, says:—

"My experience extends now over a quarter of a century, and I can emphatically declare that *four-fifths* of the crime and misery with which, in my public and private capacity, I have come in contact, has been the result of drink."

The German States, again, are still more highly educated, and combine the much-lauded panaceas of education, recreation, and light wines. Is crime, therefore, little known there? And does a smaller fraction of it spring from the drink shops than here? Not so. Lord Brougham in a recent speech in the City of York, is reported to have made the following observations:—

"The noble Lord urged the advantages of the National Association for the Advancement of Social Science. Speaking of the statement which had gone abroad in reference to too-little attention having been given to the question of Temperance, he referred to the paper read by Mr Commissioner Hill, Recorder of Birmingham, in which he gave the result of his inquiries during last summer, in most of the great prisons of the Continent, and particularly in those of Munich, of Bavaria, and of Baden. The result of those inquiries, as stated in that paper, was, that in one of those great prisons *every one* of the culprits, the

governor stated, owed his confinement to *wine and beer*. The other prison, at Baden, gave nearly the same result; but the one at Munich was the most remarkable. It was a great misfortune that by some accident no notice was taken by the press of that paper."

Another way of testing the educational fallacy, is by comparing countries equally well educated, but differing in the item of drink-facilities. Holstein, though as well educated as Denmark, is far more intemperate and criminal. Why? Because the facilities for drinking are greater in the former than the latter.

The Rhenish provinces of Germany, where most wine and spirit is consumed, has one annual condemnation for crime against the person to every 30,000 persons; but in Pomerania, where education is not quite so great, and where, according to Malte Brun, they are more robust, frugal, and sober, there is only one such offence to every 90,000.

On a local scale, examples of the connection between the License system and social demoralization, have long been patent to all observers. JOHN NOORTHOUCK, in 1773, in his 'New History of London,' notes that "there are villages in remote country places, which can date the commencement of their Poor-rate from the introduction of a Public-house." Mr FREDERIC HILL, Inspector of Prisons, justly deploras the fact that "the owner of the least patch of land in a town, may set at nought the wishes and comforts of his neighbors. By stopping up or spoiling some public promenade, erecting a gin-shop, or opening a cock-pit, he may render futile the best arranged plan for promoting the general good. An instance of this kind has fallen under our own observation. About four years ago, the owner of a mere nook of land adjoining one of the extensive iron-works in the county of Stafford was induced to let his ground for the erection of a Beer-shop. The situation was fatally well chosen: it is placed, evidently by design, so full in view, that not one of the many hundred persons employed in the establishment can pass from one part of the works to another without being exposed to its dangerous temptation; at every move their eye is sure to glance

'Where the Red Lion, flaring o'er the way,
Invites each passing workman that can pay.'

As might be expected, in too many instances *this constant attack has proved irresistible*, and men who should be at their work are found loitering in the beer-shop: in short, a distinct change for the worse has taken place in the habits of the men; the vice of drunkenness having much increased."*

On the other hand, we have in Britain many parishes showing the good which results from the absence of Licensed-temptations to drunkenness amongst our people. SCORTON, a manufacturing and agricultural township, near Lancaster, is a happy example, and contrasts in a remarkable manner with neighboring populations which are, in all things else, save the absence of drink-shops, similarly circumstanced. So DINORWIC, near Bangor, with

* On National Education, 1836, vol. 1, p. 133.

a population of 800. The working-men are chiefly employed in the Slate-quarries; their wages 20s. per week: laborers 15s. *There is no Public house within two miles.* The inhabitants are almost as sober as teetotalers; and put by in the Saving Club £1000 annually. The only paupers are those arising from accidents and old age. Neatness, cleanliness, and comfort, characterize the village. Scotland furnishes at least 30 parishes in which Public-facilities to drinking have been suppressed with vast benefit. MERTOUN and LEGERWOOD, on the borders are instances: whilst the neighboring parish of EARLSTON, with several whisky-shops, has a heavy poor-rate.

Johnstone, in Dumfries-shire, with a population of 1230, shows how to secure the full benefit of recreation and education.

"There are three public schools in the parish. There are no persons above six years of age who cannot both read and write. Since the facilities of education have been increased, an evident improvement has taken place in the morals and general good conduct of the parishioners, as is testified by our sessional records of discipline, etc.

"Though not much engrossed in literary or intellectual pursuits, our inhabitants are yet an intelligent, moral, and church-going population.

"The prevailing popular games are curling in the winter and quoits in summer; for superior skill in both of which manly and exhilarating exercises this parish has for some years past been confessedly distinguished.

"There are, we believe, few, if any, instances of a parish unconnected with manufactures, and whose inhabitants depend exclusively for support upon the cultivation of the soil, increasing so rapidly in population as this has done within these last forty years. *During this period the external aspect of the parish has been entirely changed by its roads, its enclosures, and its improved system of husbandry; but more especially by the number of comfortable dwellings erected for the accommodation of the labouring classes.* These houses have been built partly at their own expense, with the assistance of timber, etc., from the proprietor.

"While the population has increased so extensively, it is an extraordinary fact in our parish statistics, *that its pauperism has been diminished.*

"WE HAVE NEITHER PUBLIC-HOUSE, nor meeting-house, nor resident surgeon, nor prison, nor lawyer, nor beggar; specialties, we humbly conceive, not to be found united in any one parish of similar dimensions in Britain; and of which, though some may be occasionally felt as parish privations, others are daily prized by us as distinguished blessings."*

In contrast with this happy state of things, mark the effect of domestic facilities for drinking *finkel* (corn-brand), in a country possessing much higher social advantages than a Scottish parish where the feudal system is scarcely extinct, and where the land is already monopolized: we refer to *ANGERMANNLAND*:—

"The people unite all the advantages of a manufacturing and agricultural population more fully than any district I ever saw. The land is all in *small estates*, in the possession of the peasantry. The men do the farm business. There is *full employment* at the loom or in spinning for old and young of the female sex. About the houses there is all the *cleanliness* and neatness of a thriving manufacturing, and the abundance of an agricultural population. Everybody is *well-clad*. In their houses, good tables and chairs, window-curtains, clocks, fine bedding, papered rooms, and a few books. It is here, that what a country may be justly proud of, is realized."†

In this very province, *nevertheless*, crime has reached a terrible ratio, there being one criminal to every 400 of the population: the true cause may be gathered from the fact, that one crime in

* New Statistical Account of Scotland, No. 2.

† Laing's Tour in Sweden, 1839, p. 192.

six is recorded as the result of *drunkenness*—but a far greater proportion springs from the perversion of an *excitement* short of actual inebriation.

Large masses of Statistics prove beyond contradiction the fixed connection in Britain between the great bulk of crime and drinking facilities, and also a general connection between drunkeries and pauperism. The annexed DIAGRAM exhibits many paradoxes and contradictions when viewed from the common stand-point; but the *Tavern Key* unlocks the difficulty and solves the problem.* The constant correspondent of crime, with the variations of which crime varies, is alone that of *drinking facilities*. Church, School, and Gaol may all flourish together, provided the DRUNKERY flourishes; but if *that* be much beneath the average, crime will be found to be so likewise; as well where ignorance prevails as where knowledge has been diffused.

ENGLAND.		R. E.		Variance.		C. D.		Correspondence.	
		Pop. to 100 Wor- shippers.	Pop. to 100 Day- scholars.	R.	E.	Pop. to 1 annual criminal	Pop. to 1 Drunk- ery.	C.	D.
I.									
WORCESTER	}	309	1074			470	136		
WARWICK		324	1119			545	145		
STAFFORD		313	1122			580	138		
Mean ratio calculated from 100		90	91	—	—	117	120	+	+
BUCKINGHAM	}	206	1041			634	120		
OXFORD		236	1064			579	128		
		122	97	+	—	106	129	+	+
II.									
YORK		293	935			875	190		
NORTHUMBERLAND		358	957			1100	194		
LANCASTER		373	1126			609	153		
SURREY		415	942			623	232		
		73	96	—	—	75	90	—	—
III.									
CORNWALL compared with	}	211	1101			1533	304		
MONMOUTH and		220	1405	=	=	415	118	=	=
CAMBRIDGE		216	974			592	109		
IV.									
DEVON compared with	}	250	1045			724	194		
DORSET		213	879			739	198		
SOMERSET compared with		230	1051	=	=	594	137	=	=
STAFFORD		313	892			580	138		
V.									
CAMBRIDGE	}	216	947			592	109		
HUNTINGDON		181	862			668	99		
HERTFORD		225	883			546	105		
HANTS		251	837			562	137		
		123	113	+	+	108	136	+	+

* EXPLANATION OF DIAGRAM.—R. (Religion) denotes attendance at public worship; E. Schooling or Education; C. Crime; D. Drink-shops. The

The results of a comparison of Counties are briefly these :—

First Group—Ignorance and Irreligion with Crime *plus*.

Second Group—Same antecedents with Crime *minus*.

Third—Education and Worship *equal*, with Crime *unequal*.

Fourth Group—Church and School *unequal*, Crime *equal*.

Fifth Group—Church and School full, Gaol also full.

On the right of the Diagram is the solution. The unvarying antecedent because chief factor in the cause—is the corresponding condition of the traffic in strong drink. Mr Joseph Bentley, in his Letter to the President of Council on Education, very properly insists that the public-houses are *undoing* the good work of the Teacher and Pastor. "Taking," says he, "the six counties having fewest of these pestiferous places, one to every 235 persons, we find a criminal annually among 762 inhabitants; while in the six counties having a public-house for 109 'thirsty souls,' there is a criminal among 591 inhabitants. Where they do most drinking, we find *one fourth more paupers, one fourth less property, and only about half the amount of deposits in Savings' Banks*, and yet there are ONE THIRD MORE WORSHIPERS and ONE FIFTH MORE SCHOOLS to population than where the people have fewest drinking-shops." Cornwall, Cambridge, and Monmouth present at once a remarkable contrast and comparison. They are all three amongst the most religiously-instructed, yet two are the *most*, and the other is the *least*, criminal of all the counties of England. Why? Because Cornwall has *not half* the public-houses of Monmouth and of Cambridge.

There is one pre-eminent social authority who has made very apparent the same truths as respects France and Germany.

"It frequently happens," says QUETELET, in his great work *On Man*,[†] "that causes which appear very influential, *disappear before others of which we had scarcely thought at first*, and this is what I have especially found in actual researches. And I confess that I have been probably too much occupied with the influence which we assign to *Education* in abating the propensity to crime."[‡]

Symbols are — *Minus* (or less than the average); + *Plus* (or more); = *Equal*; ≠ *Unequal*. The calculations are founded on the Excise Returns, the Census, and the Criminal Tables. The *large* figures exhibit the proportions reduced to an average of 100. In group II., for example, 73 means 27 *below* the average per centage of religious instruction, and 75 means 25 *below* the average of crime.

+ *Sur l'Homme, et le Développement de ses Facultés*. 1835.

[†] Count D' ANGEVILLE says :—"Of the 17 departments *lowest in Education*, 7 are amongst the same number *lowest in Crime*. Of the 17 *most enlightened*, 6 are among the same number *most criminal*." The ratio of accusations for assize-crimes of all kinds in France, is about 1 criminal to every 4400 persons : in England it is 1 to 630. In Belgium the proportion is 1 to 5000. Besides this, there is Police-crime amounting to 1 to 188 inhabitants in France; 1 to 193 in Belgium. Many cases, probably, which in England go to swell the *Sessions*-criminality, are in France summarily dealt with by the police judges. As QUETELET observes—"The difference in laws and the classifications of crime, render direct comparisons impossible."

It seems to me that this common error especially proceeds from our EXPECTING to find fewer crimes in a country, because we find more children in it who attend school, and because there is in general a greater number of persons able to read and write. We also consider *poverty* as generally conducing to crime; yet the department of Creuse, one of the poorest in France, is that which in every respect presents the greatest morality. In the Low Countries, the most moral province is Luxembourg, where there is the greatest degree of poverty. Its inhabitants are *sober* and active.

"Rapid changes from one [commercial] state to another, give rise to crime, particularly if those who suffer are surrounded by materials of temptation, etc.

"Particularly addicted to crimes against persons are the Germanic race, which extends over Alsace, the Duchy of the Lower Rhine, a part of Lorraine and the Low Countries, where the greater proportion of persons and property gives rise to more OCCASIONS of committing crime, and where the frequent use of strong drink leads more often to excesses."

This great author has not only indicated that some of the cardinal causes of crime may be overlooked, and an undue influence be assigned to certain supposed counter-agencies, but has distinctly hinted at strong drink as the chiefest amongst the causes which HAVE been ignored by the social investigator. So far he treads in the path of the Alliance; but another inquiry is required to supplement this: namely—What is the chief social cause of drinking? The answer is—the *public facilities of the licensed TRAFFIC*.

The chapter on "The development of the propensity to Crime," begins with this important observation:—

"Supposing men to be placed in similar circumstances, I call the greater or less probability of committing crime, the *propensity to crime*. It is not enough that a man may merely have the *intention* to do evil; he must also have the *opportunity* and the *means*. Thus the propensity to crime may be the same in France as in England, without, on that account, the *morality* of the nations being the same.

"It may be interesting to examine the influence of the intellectual state of the accused on the nature of crimes. The French documents for 1828-29, 1830-1, show that, all things being equal, the number of crimes against persons compared with the number of crimes against property, was greater according as the intellectual state of the accused was more highly developed; and this difference bore especially on murders, rapes, blows, wounds, and other severe crimes. *Must we thence conclude that knowledge is injurious to Society?* It may so happen, that individuals of the enlightened class, while committing fewer murders, etc., also commit much fewer crimes against property, are less frequently under the necessity of having recourse to the different modes of appropriation; whilst affluence and knowledge have not an equal power in subduing the fire of passion and sentiments of hatred and vengeance. It seems to me, then, that at the most, we can only say that the *ratio* of the number of crimes against persons to those against property, varies with the degree of knowledge. The accused of the 8th class, who all exercised liberal professions, or enjoyed a fortune, which presupposes some education, are those who, relatively, have committed the greatest number of crimes against persons; whilst 87-hundredths of the accused of the 9th class (beggars, smugglers, etc.) have scarcely attacked anything save property.

"The Vosges in Alsace—and the 15 departments on the border of the Mediterranean [with smuggling-facilities]—all exceed the average of crime in France against persons. It is remarkable that several of the poorest departments in France, and also the least educated, such as Creuse, Indre, Cher, Haute-Vienne, Allier, etc., are at the same time the most moral; whilst the contrary is the case in most of the departments which have the greatest wealth and instruction."

M. QUETELET, in giving his 'Conclusions' announces facts and inculcates principles which have so obvious a bearing on the overlooked Cause of Crime, the Licensed Traffic in Strong Drink, that we cannot do better than quote his own impressive language :—

"Education is far from having so much influence on the propensity to crime as is generally supposed. Moreover, moral instruction is very often confounded with instruction in *reading and writing* alone, and which is most frequently an accessory instrument to crime.

"It is the same with *Poverty* ; several of the departments of France, considered to be the poorest are at the same time the most moral. Man is not driven to crime *because* he is poor, but more generally because of an inadequacy to supply the *artificial wants* he has created.

"Of 1129 murders committed in France during the space of four years, 446 have been in consequence of quarrels and contentions in taverns ; *which would tend to show the fatal influence of the use of strong-drinks.**

"Thus we pass from one year to another, with the sad perspective of seeing the same crimes reproduced in the same order. The *causes* we now want to ascertain, and as soon as we are acquainted with them, we shall determine their influence on society, just in the same way as we determine effects by their causes in physical science. † I am, however, far from concluding that man can do nothing for man's amelioration. He possesses a moral power of modifying the *laws and influences* which affect him. Also, I cannot repeat too often, to all men who sincerely desire the well-being and honour of their kind,—and who would blush to consider a few coins more or less paid to the treasury as equivalent to a few lives more or less sacrificed by the executioner,—that there is a budget which we pay with a frightful regularity—it is that of Prisons, Chains, and the Scaffold—it is that which, above all, we ought to endeavour to abate."

7. The facts and statistics already given, tend to illustrate the saying of the first Napoleon, that "under whatever relation we view MAN, he is as much the result of his *physical and moral atmosphere* as of his own organization" (or will.) It is on this ground that we claim the support of the philanthropist and politician, since it appears evident from facts, that we can only realize and perpetuate the blessings of education, of free institutions, and of sanitary laws, upon a foundation of Temperance which shall exclude the proved causes of disease, degradation, and crime.

The Statistics of Ireland, as embodied in an able paper read in 1857 before the British Association at Dublin, by Mr James Moncrieff Wilson, the Actuary, strikingly confirm this view. The year 1851 is selected in preference to any other, because it furnishes the reliable *census* returns, and because it was a period not disturbed by those frightful causes of distress which operated from 1845 to 1850, when want became the almost compulsory cause of crime. Nevertheless, the Census Commissioners have remarked, to the honour of the nation, that while "numbers, indeed, were sent to prison for petty crimes, often committed to save themselves or children from starvation, yet the slight amount of

* In the *Alliance Prize Essay*, § 18, by a transposition of figures, 2927 has got printed instead of 2297 ; which number includes 1129 murders, 149 poisonings, and 1019 assassinations.

† This has been now done in the *Alliance Prize Essay*. See especially § 120.

crime of a serious nature was remarkable." They were, during that period, both by necessity and moral-suasion, a temperate people. Strong drink was not so active in its usual work of depraving and exciting.

Of crime, generally, the proportion perpetrated by males as compared with females, is as 54 to 21, or above two-thirds of the whole: the average of both is 7620 per cent.=1 criminal to 131 $\frac{1}{4}$ persons.

We summarize and class together the statistical elements of (1) Education, (2) Occupation, (3) House-Accommodation, (4) Drunkeries, (5) Drunkenness, and (6) Crime.

	Per Cent. who could neither read nor write.	Per Cent. of Occu- pied persons.	Per centage of Bad Lodging.	Per cent. of Drunk- eries.	Per cent. of Drunken Cases.	Crime.* Per centage of con- victed.
ULSTER	31	43	6 $\frac{1}{2}$	·0968	·0921	·1109
CONNAUGHT...	60	37	18 $\frac{1}{2}$	·0515	·0844	·1836
LEINSTER	36	41	10 $\frac{1}{4}$	·0960	·4543	·2746
MUNSTER	49	39	17 $\frac{1}{2}$	·0939	·1246	·3040

The following are the clear deductions drawn by Mr WILSON:—

I. That Education combined with Occupation tends powerfully towards the diminution of crime, more especially towards the decrease of offences against property, without violence.

II. That low class Dwelling-house accommodation tends towards the increase of Crime.

III. That the Sale of Intoxicating liquor has perhaps as powerful an effect upon Crime in increasing it, as Education and Occupation combined have in lessening it. "Thus Connaught is by far the worst educated province in Ireland, with the largest unoccupied population, yet the tendency to crime is less than in any other province except Ulster. This can only be accounted for by the considerations, that in Connaught there are 42 Drink-houses fewer to every 100,000 of the population than in any other province; and that the per centage of committals for Drunkenness does not amount in Connaught to one-half the like per centage for the average of Ireland."†

IV. That were intoxicating drinks less freely used, Education, as a means of reducing Crime, would become most powerful.

In conclusion, let us remember that no theory will avail to cure crime; but solely the removal of the GREAT TEMPTATION: for Man's social environment over-rides all theories. As Society creates a mass of crime by a special-organization, so it can suppress

* It must be noted, that 44 $\frac{1}{2}$ per cent. of persons charged or held to bail are acquitted. The above represent convictions.—Connaught, twice as ignorant, three times as dirty, and greatly more idle, is nevertheless less Drunken, and scarcely more criminal, than Ulster; and much less criminal than the other two provinces.

† We add the important fact, that in Donegal and Tyrone (Ulster), there were from March, 1855, to December, 1856,—1131 cases of Detection of Illicit Distillation, against 248 for Galway, Mayo, and Sligo (Connaught)—shewing the fallacy of supposing that decreased facility for the sale of Drink promotes illicit-manufacture.

it in great part by withdrawing its License. It needs only that a Nation shall *Will* it. The responsibility, therefore, rests solely with THE PEOPLE. There is no external power, no mysterious law, which places even the slightest impediment in the path of a reform more beneficent than Society, by any other agency, has ever yet realized. The suppression of the Traffic will be better than "the gradual reform of our Institutions"—for it will render half of them superfluous, and do more than all of them put together, to reduce the oscillations of *habit* to their minimum, and to inaugurate those conditions which shall be adequate to the supply of our normal *wants*. Unless this be done, a state of true civilization will be impossible, and Society in the future, as in the past, will be doomed to see the frustration of its brightest aspirations and most hopeful plans, under the influence of invincible

"CIRCUMSTANCE, that unspiritual God
And *mis*-Creator, which helps along
Our coming evils with a crutch-like rod,
Whose touch turns Hope to dust."